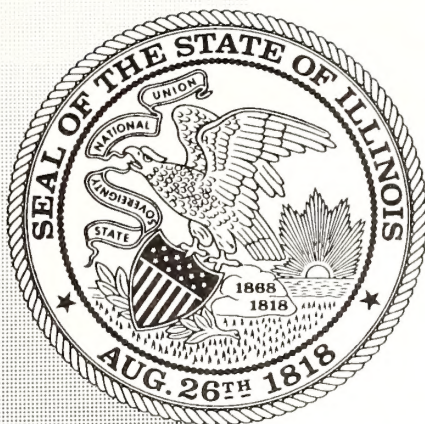


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Scott Livingston



1997

Illinois Register

Rules of Governmental Agencies

Volume 21, Issue 48—December 01, 1997

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TABLE OF CONTENTS
December 01, 1997 Volume 21, Issue 48

PROPOSED RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF Services Delivered By The Department 89 Ill. Adm. Code 302	15051
COMMERCE COMMISSION, ILLINOIS Uniform System Of Accounts For Gas Utilities 83 Ill. Adm. Code 505	15072
INSURANCE, DEPARTMENT OF Health Maintenance Organization 50 Ill. Adm. Code 5421	15086
PROFESSIONAL REGULATION, DEPARTMENT OF Medical Practice Act Of 1987 68 Ill. Adm. Code 1285	15088
TRANSPORTATION, DEPARTMENT OF Inspection Procedures For Type I School Buses 92 Ill. Adm. Code 441	15093

ADOPTED RULES

HISTORIC PRESERVATION AGENCY, ILLINOIS The Protection, Treatment And Inventory Of Archaeological And Paleontological Resources On Public Lands 17 Ill. Adm. Code 4190	15204
NATURAL RESOURCES, DEPARTMENT OF Boat And Snowmobile Registration And Safety 17 Ill. Adm. Code 2010	15235
PROFESSIONAL REGULATION, DEPARTMENT OF Clinical Psychologist Licensing Act 68 Ill. Adm. Code 1400	15240
Illinois Public Accounting Act 68 Ill. Adm. Code 1420	15255

EMERGENCY RULES

INSURANCE, DEPARTMENT OF Health Maintenance Organization 50 Ill. Adm. Code 5421	15262
---	-------

NOTICE OF CORRECTIONS

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF
Pay Plan

80 Ill. Adm. Code 31015279

AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL TO PROPOSED RULES

STATE POLICE MERIT BOARD, DEPARTMENT OF
Procedures For The Department Of State Police Merit Board

80 Ill. Adm. Code 150, Modification15288

JOINT COMMITTEE ON ADMINISTRATIVE RULES- STATEMENT OF OBJECTIONS, SUSPENSIONS, RECOMMENDATIONS, PROHIBITED FILINGS & APPROVALS

PUBLIC HEALTH, DEPARTMENT OF
Health Care Facility Plan Review Code

77 Ill. Adm. Code 290, Objection and Suspension15293

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received15294

Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 19, 1996 - Issue 16: Through	March 31, 1996
July 19, 1996 - Issue 29: Through	June 30, 1996
October 18, 1996 - Issue 42: Through	September 30, 1996
January 17, 1997 - Issue 3: Through	December 31, 1996 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1997

Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:	Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:
Dec. 24, 1996	Dec. 31, 1996	1	Jan. 3, 1997	July 1, 1997	July 8, 1997	28	July 11, 1997
Dec. 31, 1996	Jan. 7, 1997	2	Jan. 10, 1997	July 8, 1997	July 15, 1997	29	July 18, 1997
Jan. 7, 1997	Jan. 14, 1997	3	Jan. 17, 1997	July 15, 1997	July 22, 1997	30	July 25, 1997
Jan. 14, 1997	Jan. 21, 1997	4	Jan. 24, 1997	July 22, 1997	July 29, 1997	31	Aug. 1, 1997
Jan. 21, 1997	Jan. 28, 1997	5	Jan. 31, 1997	July 29, 1997	Aug. 5, 1997	32	Aug. 8, 1997
Jan. 28, 1997	Feb. 4, 1997	6	Feb. 7, 1997	Aug. 5, 1997	Aug. 12, 1997	33	Aug. 15, 1997
Feb. 4, 1997	Feb. 11, 1997	7	Feb. 14, 1997	Aug. 12, 1997	Aug. 19, 1997	34	Aug. 22, 1997
Feb. 11, 1997	Feb. 18, 1997	8	Feb. 21, 1997	Aug. 19, 1997	Aug. 26, 1997	35	Aug. 29, 1997
Feb. 18, 1997	Feb. 25, 1997	9	Feb. 28, 1997	Aug. 26, 1997	Sept. 2, 1997	36	Sept. 5, 1997
Feb. 25, 1997	Mar. 4, 1997	10	Mar. 7, 1997	Sept. 2, 1997	Sept. 9, 1997	37	Sept. 12, 1997
Mar. 4, 1997	Mar. 11, 1997	11	Mar. 14, 1997	Sept. 9, 1997	Sept. 16, 1997	38	Sept. 19, 1997
Mar. 11, 1997	Mar. 18, 1997	12	Mar. 21, 1997	Sept. 16, 1997	Sept. 23, 1997	39	Sept. 26, 1997
Mar. 18, 1997	Mar. 25, 1997	13	Mar. 28, 1997	Sept. 23, 1997	Sept. 30, 1997	40	Oct. 3, 1997
Mar. 25, 1997	Apr. 1, 1997	14	Apr. 4, 1997	Sept. 30, 1997	Oct. 7, 1997	41	Oct. 10, 1997
Apr. 1, 1997	Apr. 8, 1997	15	Apr. 11, 1997	Oct. 7, 1997	Oct. 14, 1997	42	Oct. 17, 1997
Apr. 8, 1997	Apr. 15, 1997	16	Apr. 18, 1997	Oct. 14, 1997	Oct. 21, 1997	43	Oct. 24, 1997
Apr. 15, 1997	Apr. 22, 1997	17	Apr. 25, 1997	Oct. 21, 1997	Oct. 28, 1997	44	Oct. 31, 1997
Apr. 22, 1997	Apr. 29, 1997	18	May 2, 1997	Oct. 28, 1997	Nov. 4, 1997	45	Nov. 7, 1997
Apr. 29, 1997	May 6, 1997	19	May 9, 1997	Nov. 4, 1997	Nov. 10, 1997*	46	Nov. 14, 1997
May 6, 1997	May 13, 1997	20	May 16, 1997	Nov. 10, 1997*	Nov. 18, 1997	47	Nov. 21, 1997
May 13, 1997	May 20, 1997	21	May 23, 1997	Nov. 18, 1997	Nov. 25, 1997	48	Dec. 1, 1997*
May 20, 1997	May 27, 1997	22	May 30, 1997	Nov. 25, 1997	Dec. 2, 1997	49	Dec. 5, 1997
May 27, 1997	June 3, 1997	23	June 6, 1997	Dec. 2, 1997	Dec. 9, 1997	50	Dec. 12, 1997
June 3, 1997	June 10, 1997	24	June 13, 1997	Dec. 9, 1997	Dec. 16, 1997	51	Dec. 19, 1997
June 10, 1997	June 17, 1997	25	June 20, 1997	Dec. 16, 1997	Dec. 23, 1997	52	Dec. 26, 1997
June 17, 1997	June 24, 1997	26	June 27, 1997	Dec. 23, 1997	Dec. 30, 1997	1	Jan. 2, 1998
June 24, 1997	July 01, 1997	27	July 7, 1997*	Dec. 30, 1997	Jan. 6, 1998	2	Jan. 9, 1998

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

* Monday

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Services Delivered by the Department

2) Code Citation: 89 Ill. Adm. Code 302

3) Section Numbers: Proposed Action:

302.20 Amend

302.310 Amend

302.400 Repeal

302.405 Amend

302.Appendix B Amend

4) Statutory Authority: 20 ILCS 505

5) A Complete Description of the Subjects and Issues Involved: These proposed amendments implement Public Act 90-362, effective January 1, 1998, which removed the provision that adoption assistance subsidies must be at least \$25 less than the monthly costs of care for the child in the foster home. These amendments make the amount of the monthly subsidy equal to the amount the child was receiving in foster care. The amount of the subsidy for the subsidized guardianship program is also being changed to agree with the adoption assistance revisions. At the same time, Section 302.400, Successor Guardianship, is being repealed.

In addition, amendments were added to allow adoptive parents or subsidized guardians to deduct the cost of post-secondary education expenses from any income used to determine the amount of the subsidy, to extend subsidies to age 19, if the child is still in high school, and to allow children to be eligible for adoption assistance, if they are children of the same parent(s) as other children adopted with adoption assistance and will be adopted by the same adoptive parents.

Finally, the definition of "child welfare services" in Section 302.20, Definitions, was amended to agree with the definition contained in the Children and Family Services Act which was amended by Public Act 90-28, effective January 1, 1998.

6) Will these proposed rules replace an emergency rule currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed rules contain incorporations by reference? No

9) Are there any proposed amendments to this Part pending? Yes

Section Number	Proposed Action	Illinois Register Citation
302.300	Repeal	May 30, 1997 (21 Ill. Reg. 6375)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

302.305

Amend

May 30, 1997 (21 Ill. Reg. 6375)

302.315

Repeal

May 30, 1997 (21 Ill. Reg. 6375)

10) Statement of Statewide Policy Objectives: These rules do not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jerry B. Crabtree

Office of Rules and Procedures

Department of Children and Family Services

406 East Monroe, Station #65

Springfield, Illinois 62701-1498

(217) 524-1983

TTY: (217) 524-3715

Internet: ORPINFO@pop.state.il.us

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

12) Initial Regulatory Flexibility Analysis: These rules do not affect small businesses.

13) Regulatory Agenda on which this rulemaking was summarized: State reason(s) for this rulemaking if it was not included in either of the two (2) most recent regulatory agendas: The legislation requiring these rule amendments was passed after the deadline for filing the regulatory agenda.

The full text of the Proposed Amendment begins on the next page.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
 SUBCHAPTER a: SERVICE DELIVERY

PART 302

SERVICES DELIVERED BY THE DEPARTMENT

SUBPART A: GENERAL PROVISIONS

Section
 302.10
 302.20
 302.30
 302.40
 302.50

Purpose
 Definitions
 Introduction
 Department Service Goals
 Functions in Support of Services

SUBPART B: REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT (RECODIFIED)

Section
 302.100
 302.110
 302.120
 302.130
 302.140

Reporting Child Abuse or Neglect to the Department (Recodified)
 Content of Child Abuse or Neglect Reports (Recodified)
 Transmittal of Child Abuse or Neglect Reports (Recodified)
 Special Types of Reports (Recodified)
 Referrals to the Local Law Enforcement Agency and State's Attorney (Recodified)

Delegation of the Investigation (Recodified)
 The Investigative Process (Recodified)
 Taking Children Into Temporary Protective Custody (Recodified)
 Notification of the Determination Whether Child Abuse or Neglect Occurred (Recodified)
 Referral for Other Services (Recodified)

302.190

SUBPART C: DEPARTMENT CHILD WELFARE SERVICES

Section
 302.300
 302.305
 302.310
 302.311
 302.315
 302.320
 302.330

Adoptive Placement Services
 Adoption Listing Service for Special Needs Children
 Adoption Assistance Agreements
 Nonrecurring Adoption Expenses (Repealed)
 Adoption Registry
 Counseling or Casework Services
 Day Care Services

302.340
 302.350
 302.360
 302.370
 302.380
 302.390

Emergency Caretaker Services
 Family Planning Services
 Health Care Services
 Homemaker Services
 Information and Referral Services
 Placement Services (Repealed)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

302.400 Successor Guardianship (Repealed)
 302.405 Subsidized Guardianship Program

SUBPART D: INTENSIVE FAMILY PRESERVATION SERVICES

Section
 302.500 Purpose
 302.510 Implementation of the Family Preservation Act
 302.520 Types of Intensive Family Preservation Services
 302.530 Phase In Plan for Statewide Family Preservation Services
 302.540 Time Frames

APPENDIX A Acknowledgement of Mandated Reporter Status (Recodified)
 APPENDIX B Calculating the Amount of Adoption Assistance

AUTHORITY: Implementing and authorized by the Children and Family Services Act [20 ILCS 505]; Section 3-6-2(g) of the Unified Code of Corrections [730 ILCS 5/3-6-2(g)]; the Illinois Alcoholism and Dangerous Drug Dependency Act [20 ILCS 305]; the Adoption Assistance and Child Welfare Act of 1980 [42 U.S.C.A. 670 et seq.]; 45 CFR 1356.40 and 1356.41; the Juvenile Court Act of 1987 [705 ILCS 405]; and the Adoption Act [750 ILCS 50].

SOURCE: Adopted and codified at 5 Ill. Reg. 13188, effective November 30, 1981; amended at 6 Ill. Reg. 15529, effective January 1, 1983; recodified at 8 Ill. Reg. 992; peremptory amendment at 8 Ill. Reg. 5373, effective April 12, 1984; amended at 8 Ill. Reg. 12143, effective July 9, 1984; amended at 9 Ill. Reg. 2467, effective March 1, 1985; amended at 9 Ill. Reg. 9104, effective June 14, 1985; amended at 9 Ill. Reg. 15820, effective November 1, 1985; amended at 10 Ill. Reg. 5557, effective April 15, 1986; amended at 11 Ill. Reg. 1390, effective January 13, 1987; amended at 11 Ill. Reg. 1551, effective January 14, 1987; amended at 11 Ill. Reg. 1829, effective January 15, 1987; recodified to 89 Ill. Adm. Code 300 at 11 Ill. Reg. 3492, Sections 302.20, 302.100, 302.110, 302.120, 302.130, 302.140, 302.150, 302.160, 302.170, 302.180, 302.190, Appendix A; amended at 13 Ill. Reg. 18847, effective November 15, 1989; amended at 14 Ill. Reg. 3438, effective March 1, 1990; amended at 14 Ill. Reg. 16430, effective September 25, 1990; amended at 14 Ill. Reg. 19010, effective November 15, 1990; amended at 16 Ill. Reg. 274, effective December 31, 1992; emergency amendment at 17 Ill. Reg. 2513, effective February 10, 1993, for a maximum of 150 days; emergency expired on July 9, 1993; amended at 17 Ill. Reg. 13438, effective July 31, 1993; amended at 19 Ill. Reg. 9107, effective June 30, 1995; amended at 19 Ill. Reg. 9485, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10746, effective July 1, 1995, for a maximum of 150 days; emergency expired November 27, 1995; emergency amendment at 19 Ill. Reg. 16735, effective November 28, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 4606, effective March 15, 1996; amended at 20 Ill. Reg. 6670, effective May 1, 1996; emergency amendment at 21 Ill. Reg. 1033, effective January 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3265, effective March 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 6204, effective May

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

15, 1997; amended at 21 Ill. Reg. 10912, effective July 29, 1997; amended at 22 Ill. Reg. _____, effective _____.

Section 302.20 Definitions

Adoption assistance" or "adoption subsidy" means financial assistance from the Department which is provided to the adoptive parents after the finalization of an adoption.

"Adoption placement" means a living arrangement with a family which is directed toward establishing that family as the child's new legal parents. To be considered an adoptive placement the child must:

be placed in a licensed foster family home or a license-exempt relative home; and

be legally free (parental rights have been terminated or both parents have surrendered their parental rights); or

be placed in a legal risk adoptive placement that has passed legal screening as described in 89 Ill. Adm. Code 309, Adoption Services for Children for Whom the Department of Children and Family Services is Legally Responsible.

"Biological father" means a man who was not married to the mother when the child was born and who has acknowledged his paternity in open court, or who has signed a statement acknowledging paternity, or who is legally presumed to be the father because he married the child's mother after the child's birth and his name appears on the child's official record of birth, or whose paternity is adjudicated in court. When paternity has been established in the above manner, the relatives of the biological father as well as those of the mother may be considered for the placement of the related children.

"Child welfare services" means publicly funded social services which are directed toward the accomplishment of the following purposes:

protecting and promoting the health, safety and welfare of all children, including homeless, dependent, or neglected children; preventing or remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children;

preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing breakup of the family where the prevention of child removal is desirable and possible

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

when the child can be cared for at home without endangering the child's health and safety;

restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible or appropriate;

assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, so that permanency may occur at the earliest opportunity. Consideration should be given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

providing supportive services and living maintenance which contributes to the physical, emotional and social well-being of children for whom the Department is legally responsible who are pregnant and unmarried; and

placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, or in a licensed shelter facility. The Department is not required to place or maintain children:

who are in a foster home; or

who are developmentally disabled, as defined in the Mental Health and Developmental Disabilities Code; or

who are female children who are pregnant, pregnant and parenting or parenting; or

who are siblings,

in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age. (20 ILCS 505/5)

These services include but are not limited to: counseling, advocacy,

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

protective and family maintenance day care, homemaker, emergency caretaker, family planning, adoption, placement, child protection, and information and referral.

"Children for whom the Department is legally responsible" means children for whom the Department has temporary protective custody, custody or guardianship via court order, or children whose parent(s) has signed an adoptive surrender or voluntary placement agreement with the Department.

"Department" means the Department of Children and Family Services.

"Family" means one or more adults and children, related by blood, marriage, or adoption and residing in the same household.

"Minimum parenting standards" means that a parent or other person responsible for the child's welfare sees that the child is adequately fed, clothed appropriately for the weather conditions, provided with adequate shelter, protected from physical, mental and emotional harm, and provided with necessary medical care and education as required by law. A parent who has abandoned a child, deserted a child, for three months or failed to demonstrate a reasonable degree of interest, concern, or responsibility as to the welfare of a newborn child for 30 days after birth is deemed to have failed to have met the minimum parenting standards unless the parent has arranged for the child's care in the home of a relative who is willing and capable of assuming responsibility for the child in addition to a parent who is addicted to alcohol or who is a drug addict as defined in Section 1-109 of the Illinois Alcoholism and Other Drug Dependency Act of 1989, 905/1-109, and who has consistently failed to cooperate in a rehabilitation program for a period of at least twelve months is deemed to have failed to have met the minimum parenting standards unless the parent has arranged for the child's safety and well-being despite the parent's addiction.

"Parents" means the child's legal parents whose rights have not been terminated and adoptive parents. Biological fathers are considered legal parents when paternity has been established as required by the definition in this Section.

"Permanency goal" means the continuous living arrangement which the Department deems desirable for and available to the child. A permanent legal status is usually a component of the permanency goal. The means for attaining a permanency goal as well as the goal itself can change as the child's developmental and emotional needs change or as the child's and family's circumstances change.

"Permanent legal status" means a legally binding relationship between

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

a child and a family as established by birth or a court of law.

"Private guardianship" means an individual person appointed by the court to assume the responsibilities of the guardianship of the person as defined in Section 1-3 of the Juvenile Court Act of 1987 [705 ILCS 405/1-3] or Article XI of the Probate Act of 1975 [755 ILCS 5/Art. XI].

"Relative," for purposes of placement of children for whom the Department is legally responsible, means any person, 21 years of age or over, other than the parent, who:

- is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, great-uncle, or great-aunt, or
- is the spouse of such relative, or
- is the child's step-father, step-mother, or adult step-brother or step-sister.

Relative also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, where the child and its sibling are placed together with that person. [20 ILCS 505/7(b)]

"Service constellation" means a variety of services provided to a child and his/her family.

"Service plan" means a written plan on a form prescribed by the Department in the plan toward the permanency goal for the children.

"Siblings" means children in the custody or guardianship of the Department who have a shared biological or adoptive parent.

"Subsidized Guardianship Program" means a child welfare demonstration project which offers a financial subsidy to relative care or licensed foster home caregivers who are willing to assume private guardianship of children who are eligible for the program. The Subsidized Guardianship Program is further defined in Section 302.405, Subsidized Guardianship.

"Successor guardianship" means the judicial transfer under Section 2-27, 2-28, 2-29, or 2-29 of the Juvenile Court Act of 1987 of the Department's guardianship duties and responsibilities for a minor to a related or unrelated person whom the child has lived with for a continuous period of a year or more before transfer of guardianship.

"Voluntary placement agreement" means a time-limited written request and consent from a parent, guardian or legal custodian of a child for placement the child out of the home. When signed by designated

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Department staff, the Department agrees to provide child welfare services which include placement.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

SUBPART C: DEPARTMENT CHILD WELFARE SERVICES

Section 302.310 Adoption Assistance Agreements

a) Adoption assistance may be provided to those persons adopting children who are legally free for adoption, who are residents of Illinois, and who the Department has determined have special needs because of which it is reasonable to conclude that the child cannot be adopted unless adoption assistance is provided. Although eligibility for adoption assistance shall be determined regardless of the financial circumstances of the adoptive parents, the types and amounts of assistance under each adoption assistance agreement shall be determined by the Department on an individual basis. The Department shall take into consideration the specific circumstances of the adoptive parents (e.g., parents' taxable income) and any special care needs of the child being adopted as described in subsection (b)(2) of this Section. The types of adoption assistance that may be provided include:

- 1) one-time only payments of non-recurring adoption expenses incurred by or on behalf of the adoptive parents in connection with the adoption of a special needs child, up to a maximum of \$1500+00 for each adopted child;
- 2) payments for physical, emotional and mental health needs not wholly payable through insurance or other public resources that are associated with or result from a condition(s) whose onset has been established as occurring prior to the completion of the adoption;
- 3) in cases where a child also meets the eligibility requirements of subsection (d) of this Section, ongoing monthly payments in an amount determined in each case by the Department in accordance with the formula described in Appendix B, Calculating the Amount of Adoption Assistance, and subject to adjustment at a review every two years, or more frequently based on changes in the circumstances of the adopted parents and the needs of the child being adopted. In no event shall the monthly adoption assistance payment be greater than \$25-~~1000~~---than the applicable licensed foster family care payment level as adjusted in accordance with Appendix B.
- b) For purposes of this Section, a child shall not be considered a child with special needs unless the Department has first determined that:
 - 1) the child cannot or should not be returned to the home of his or her parents, as determined by:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- A) a judicial adjudication that the child is abused, neglected or dependent or other judicial determination that there is probable cause to believe that a child is abused, neglected or dependent; and
 - B) a determination by the Department that the child is likely to suffer further abuse or neglect or will not be adequately cared for if returned to the parent(s); and
- 2) the child meets one of the following criteria or is a member of a sibling group ~~being placed together~~ where at least one child meets one of the following criteria:

- A) has an irreversible or non-correctable physical, mental or emotional disability; or
- B) has a physical, mental or emotional disability correctable through surgery, treatment, or other specialized services; or
- C) is six years of age or older; or
- D) is three years of age or older and a racial minority; ~~or and~~
- E) is a member of a sibling group being adopted together; ~~or~~
- F) is a child being adopted by adoptive parents who have adopted another child born of the same parent but who is no longer a legal sibling; and

- 3) a reasonable, but unsuccessful, effort has been made to place the child with adoptive parents without providing adoption assistance and the prospective adoptive parents are either unwilling or unable to adopt the child without adoption assistance, as evidenced by a written statement from the adoptive parents. A documented search for alternative adoptive placements without adoption assistance shall be made unless the Department determines that such a search is against the best interests of the child because the child has developed significant emotional ties with the prospective adoptive parents while in their foster care.

- c) Adoption assistance as a one-time only payment for non-recurring adoption expenses shall be provided to parents adopting a child who is determined by the Department to have special needs as provided in subsection (b) of this Section. This includes expenses incurred by or on behalf of such parents, in connection with the adoption of a special needs child, either directly or through another public or private agency. These expenses include reasonable and necessary adoption fees, court costs, attorney fees, and other expenses that are directly related to the legal adoption of a child with special needs and that are not incurred in violation of State or Federal law. The amount of payments to be made in any specific case shall be determined by the needs of the child being adopted and the availability of pro bono services, and shall not exceed \$1500 per adoptive child. The adoptive parents may refuse any or all payments available under this subsection (c) of this Section.
- d) Adoption assistance for ongoing monthly payments and medical

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

assistance may be provided to parents adopting a child who:

- 1) is determined by the Department to have special needs as provided in subsection (b) of this Section; and
- 2) meets one of the following conditions:

- A) was eligible at the time the adoption petition was filed for Aid to Families with Dependent Children (AFDC) under the provisions of Title IV-A of the Social Security Act in effect as of June 1, 1995; or
- B) was eligible for foster care maintenance payments under Title IV-E of the Social Security Act at the time the adoption petition was filed; or
- C) was eligible for Supplemental Security Income (SSI) prior to finalization of the adoption; or
- D) is a child for whom the Department of Children and Family Services was legally responsible when the adoption petition was filed; and
- 3) in all cases, other than a child determined to have special needs under subsection (b)(2) of this Section because of a documented physical, mental, or emotional disability, the child has been in the care of the Department or another agency or person other than his or her parents pursuant to an order of the court for at least one year prior to the adoption. However, the one year placement requirement is not applicable for sibling groups where at least one sibling is determined to be special needs because of a documented physical, mental, or emotional disability and meets all requirements for adoption assistance.

- e) The Department shall determine whether to provide ongoing monthly payments and the amount of the payment in each individual case by taking into consideration the circumstances of the adoptive parents and the needs, age, and type of placement of the child being adopted as adjusted for any benefits the child will be receiving, such as Social Security, SSI, Veterans' benefits, railroad retirement or black lung benefits, financial settlements, payments, inheritance or gifts.
- f) In cases where the determination under subsection (b)(2) of this Section is based on a diagnosis that the child may eventually require care for a documented medical condition or disability related to pre-existing physical, mental, or emotional conditions or risk factors that do not yet require treatment at the time of the adoption, no such payments shall be made at that time. The adoption assistance agreement may provide that such payments be initiated when the child's pre-existing condition or identified risk factors warrant treatment or professional intervention. If such payments are commenced, the ongoing monthly payment shall in no event exceed ~~925-dollars~~ ^{the} amount the child would receive if the child was in foster care at the time the payments are initiated as adjusted in accordance with Appendix B of this Part.

- g) The adoption assistance agreement providing for ongoing monthly payments and medical assistance shall include an agreement with the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

adoptive parents that the amount of any ongoing monthly payments calculated in accordance with Appendix B of this Part shall be reviewed every two years and may be readjusted every two years or more frequently, based on changes in the circumstances of the adoptive parents and the needs of the child being adopted. If the adoptive parents or the adopted child disagree with the Department's determination, they may appeal the determination in accordance with 89 Ill. Adm. Code 337, Service Appeal Process. Adoptive parents may refuse any or all payments offered by the Department.

- h) A prospective adoptive family being presented with a child determined to be a special needs child shall be made aware of the availability of adoption assistance and, in the case of ongoing monthly adoption assistance payments, that such payments are subject to review at least every two years and may be readjusted as set forth in Appendix B. In order to receive adoption assistance, the child must be placed in the adoptive home and the adoption assistance agreement signed prior to finalization of the adoption.

- i) The type(s), amount and duration of adoption assistance shall be agreed to in writing by the Department and the adoptive parent(s) prior to the finalization of the adoption, and shall be set forth in the adoption assistance agreement, which shall be binding on the parties to the agreement. The agreement shall also stipulate that the agreement shall remain in effect regardless of the state where the adoptive parents reside currently or in the future and shall contain provisions for the protection of the interests of the child in cases where the adoptive parents and child move to another state while the agreement is in effect. The duration of adoption assistance may not extend beyond age 18 years, or beyond age 19 years if the child is still in high school, although adoption assistance may be provided at the Department's option until the child's 21st birthday if the child has a physical, mental or emotional disability that warrants the continuation of assistance. The adoptive parents or the adoptive child may appeal the Department's decision to discontinue adoption assistance at age 18 or 19 for a child still in high school.

- j) The adoptive parent(s) shall notify the Department as soon as practically possible in writing of a change in address or when the following changes occur which will affect the amount of adoption assistance:

- 1) the child is no longer the legal responsibility of the adoptive parent(s);
- 2) the child is no longer receiving financial support from the adoptive parent(s);
- 3) the child no longer requires adoption assistance for the special needs for which adoption assistance was being provided;
- 4) the child becomes eligible for any benefit payments that would affect the monthly payment, such as Social Security benefits, Supplemental Security Income (SSI) benefits, Veteran's benefits, railroad retirement or black lung benefits, financial

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- settlements, payments, inheritance or gifts; or
- 5) a change has occurred in the circumstances of the family that is relevant in determining the amount of assistance payments.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 302.400 Successor Guardianship (Repealed)

- a) When Successor Guardianship is Appropriate
- Successor guardianship is a program available for only those children who meet the following criteria:
- 1) The child must be at least 14 years of age and must consent to the successor guardianship arrangement.
 - 2) The child must have resided with the prospective successor guardian for at least one year immediately prior to establishing the successor guardianship.
 - 3) The child must have been under Department guardianship for at least one year immediately prior to establishing the successor guardianship.
 - 4) The child must not have medical, transportation or personal expenses (e.g., expenses related to skills, interests, or hobbies) which would create a financial burden on the successor guardian.
 - 5) The permanency goals of return home and adoption must have been ruled out for this child and the permanency goal of permanent family placement must be selected.
 - 6) The parents must consent to the successor guardianship arrangement or the Department may proceed for good cause to seek a successor guardianship without parental consent provided that the parents are given notice of the guardianship petition hearing in accordance with Section 2 of the Juvenile Court Act (705-IACS-405.2). Good cause includes but is not limited to:
 - A) Parental incarceration expected to last more than 180 days.
 - B) Parental illness, mental or physical incapacity or addiction which is chronic and serious to the extent judgment is impaired.
 - C) Parental desertion, abandonment or whereabouts unknown.
 - b) Responsibilities of the Successor Guardian
 - 1) Successor guardians assume all the duty and authority conferred upon such persons in the Juvenile Court Act of 1987 (705-IACS 405). Successor guardians are responsible for making the major decisions in children's lives for whom they are guardian but the Department shall provide consultation including legal and medical consultation upon request from the successor guardian. No fees shall be charged for the consultation.
 - 2) Successor guardians are responsible for ensuring that parents have the opportunity to visit their children in accordance with

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- the provisions of the court.
- 3) Successor guardians are responsible for providing the juvenile court with updated case plans for the child once every six months.
 - 4) Successor guardians are responsible for informing the Department when:
 - A) there have been significant changes in their circumstances or the child's circumstances which affect their ability to care for the child such as substantial changes in income or expenses, changes in the composition of the household, or major health problems;
 - B) they are receiving income for the child including but not limited to Social Security benefits, Supplemental Security Income (SSI), Black lung benefits, and child support;
 - C) they stop supporting or caring for the child; or
 - D) the child runs away for longer than 72 hours.
 - 5) Successor guardians are responsible for requesting Department services if they are needed after guardianship has been transferred and post-transfer services have been provided.
 - e) Responsibilities of Department
 - 1) The Department shall initiate juvenile court proceedings to transfer guardianship and shall assume responsibility for costs related to these proceedings.
 - 2) The Department shall fully explain the duties and responsibilities of successor guardians and shall provide written guidelines for making complex legal or medical decisions. The successor guardian's compliance with the guidelines is not required.
 - 3) The Department shall, upon request of the successor guardian, provide consultation on major decisions free of charge.
 - 4) The Department shall assist the successor guardian in planning times and places for visitation, but is not responsible for arranging or supervising parental or sibling visitation.
 - 5) The Department shall offer post-transfer of guardianship services such as counseling or homemaker services for up to three months after guardianship has been transferred. No fees shall be charged for these services.
 - 6) The Department shall accept custody of the child in accordance with the Abused and Neglected Child Reporting Act (32-IACS-5) if the successor guardian does not care for him or her to the extent the child's health or well-being is endangered.
 - 7) The Department shall provide financial assistance for these children when their successor guardian requests it and they meet eligibility requirements in Section 302.400(d). Subary for Successor Guardianship:
 - d) Subary for Successor Guardianship
 - 1) Successor guardians may apply for financial assistance toward the care of the children for whom they assume guardianship.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 2) The Department shall consider all relevant factors in determining whether initial or ongoing subsidized successor guardianship is in the best interests of the child including but not limited to:
- A) the wishes of the child's successor guardian;
 - B) the wishes of the child;
 - C) the interaction and interrelationship of the child with the successor guardian;
 - D) the child's adjustment to the present home, school, and community;
 - E) the child's need for stability and continuity of relationship with the successor guardian;
 - F) the mental and physical health of all individuals involved; and
 - G) whether the successor guardian is financially supporting the child.
- 3) Ongoing monthly payments are available and are not to exceed \$25 less than the Department's regular foster care payment rate. Regular monthly income from another source for the child shall be deducted from the maximum amount paid by the Department. The Department shall give the successor guardian written notice of any decrease in the amount of financial assistance at least 10 days prior to the effective date of the decrease.
- 4) Financial assistance is available after considering the relevant factors in subsection (d)(2) above until the child attains 10 years of age except that financial assistance may continue until the child attains 21 years of age if the child has a severe emotional disturbance, a physical disability, a social adjustment problem, or the child needs to complete an educational or vocational training program and in the Department's judgment it is in the child's best interests to remain in subsidized successor guardianship.
- 5) The Department and the successor guardian shall agree to the amount and duration of the financial assistance in writing. The amount of the financial assistance shall be reviewed at least annually in determining the amount of financial assistance several factors are reviewed including but not limited to:
- A) the age of the child when entering the successor guardianship program; and
 - B) the current family size and
 - C) the family's gross income.
- 6) The Department shall not provide medical assistance to children in the successor guardianship program when payment of medical costs is available through the Department of Public Aid insurance benefits or other public programs.
- 7) Any children in the successor guardianship program as of December 31, 1996 may remain in the program until such time as guardianship is transferred or terminated. However, no additional children will be

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

accepted into this program as of January 17, 1997, except in the case of neutrality groups described in Section 302.405(f). Demonstration and cost-neutrality groups. The subsidy for these children will be calculated in accordance with Section 302.405(e) Subsidy for the Subsidized Guardianship Program.

(Source: Repealed at 22 Ill. Reg. _____, effective _____)

Section 302.405 Subsidized Guardianship Program

- a) Description. Subsidized guardianship is a program for which the Department has received waivers from the federal Department of Health and Human Services under Section 1130 of the Social Security Act to operate a child welfare demonstration project. The program offers a subsidized private guardianship arrangement for children for whom the permanency goals of return home and adoption have been ruled out as evidenced by an assessment documented in the service plan. The types of assistance that may be provided include:
- 1) payments of one-time court costs and legal fees, if required, in connection with the establishment of guardianship, up to a maximum of \$500;
 - 2) payments for physical, emotional and mental health needs not wholly payable through insurance or other public resources that are associated with or result from a medical condition(s) whose onset has been established as occurring prior to the transfer of guardianship; and
 - 3) ongoing monthly payments in an amount determined in each case by the Department in accordance with subsection (e) below.
- b) When Subsidized Guardianship is Appropriate. Subsidized guardianship is a program available for only those children who meet the following criteria.
- 1) The child must have been in the legal custody of the State for two years or more immediately prior to establishing subsidized guardianship.
 - 2) The child must have resided with the prospective private guardian (relative caregiver or non-relative licensed foster care provider) for at least one year immediately prior to establishing the subsidized guardianship. However, the one year placement requirement is not applicable for sibling groups when at least one sibling meets all other subsidized guardianship requirements.
 - 3) A child living in the home of a non-relative must be at least 12 years of age. However, the age criteria is not applicable for sibling groups when at least one sibling meets all subsidized guardianship criteria. However, if a child younger than 12 years of age is living in the home of a non-relative and has no older sibling for whom subsidized guardianship is being considered, the caseworker must determine that subsidized guardianship is in the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

child's best interests due to the length of time the child has been in the home, the age of the child, characteristics, limitations, and responsibilities including health and mobility of the caretakers or the special needs of the child. The basis for the best interest decision must be documented, and must be approved by the Department Guardianship Administrator.

- 4) The child must have a strong attachment to the potential guardian and the guardian must have a strong commitment to the child.
- 5) Reunification efforts of the child with his or her family must have been ruled out despite reasonable efforts having been made to reunite the child with his or her parents as documented in the case record.
- 6) Adoption must have been ruled out as a permanency goal for the child.

7) The parents may consent to the subsidized guardianship arrangement or the Department may proceed, for good cause, to seek a private guardian without parental consent provided that notice is given of the guardianship petition hearing in accordance with Section 11-10.1(a) of the Probate Act [755 ILCS 5/11-10.1(a)].

- 8) A child 14 years of age or older must consent to the initiation of the subsidized guardianship living arrangement.
- 9) The prospective guardian must have no record of any felony convictions.

c) Responsibilities of the Private Subsidized Guardian

1) Private guardians are responsible for ensuring that parents have the opportunity to visit their children in accordance with the provisions/orders of the court.

2) Private guardians shall notify the Department as soon as practically possible in writing when the following changes occur which may affect the amount of the subsidy:

- A) the child is no longer the legal responsibility of the subsidized guardian;
- B) the child is no longer receiving financial support from the subsidized guardian;
- C) the child becomes eligible for any benefit payments that would affect the monthly payment, such as Social Security benefits, Supplemental Security Income (SSI) benefits, veteran's benefits, railroad retirement or black lung benefits, financial settlements, payments, inheritance or gifts;
- D) a change has occurred in the circumstances of the family that is relevant in determining the amount of assistance payments; or
- E) there is a change of address.

d) Responsibilities of Department

1) Prior to approving a subsidized guardianship arrangement for a child, the Department shall determine whether subsidized

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

guardianship is in the best interests of the child. In making that determination the Department shall, through an assessment, consider all relevant factors including but not limited to:

- A) the wishes of the child's prospective subsidized guardian;
- B) the wishes of the child under the age of 14 or the consent of the child, if over age 14;
- C) the interaction and interrelationship of the child with the prospective subsidized guardian;
- D) the child's adjustment to the present home, school, and community;

E) the child's need for stability and continuity of relationship with the prospective subsidized guardian; and
F) the mental and physical health of all individuals involved.

- 2) The Department shall ensure that the subsidized guardianship arrangement is a safe and suitable placement by means of a safety check which shall include a CANTS and LEADS check.

3) The Department shall ensure that members of sibling groups are placed together, unless there is an explicit determination that they should not be placed together for the reasons described in 89 Ill. Adm. Code 301, Placement and Visitation Services, when making placements under the subsidized guardianship program.

- 4) The Department will offer short-term support services for foster care and relative home providers prior to and during subsidized guardianship. Services will include preliminary screening, assessment, assistance in applying for subsidized guardianship, and payment for one time only court costs and legal fees, if required.

5) The Department shall provide children in the subsidized guardianship program with a full range of services under the Medicaid program which includes health care services and mental health care services.

- 6) The Department shall ensure that an orientation is provided to the family of the subsidized guardian to assure that all family members understand the benefits and responsibilities of all the participants in the subsidized guardianship arrangement.

7) The Department shall ensure that each prospective guardian has access to a caseworker who will respond to requests for information and assistance.

- 8) The Department shall ensure that all guardians are provided access to fair hearings under 89 Ill. Adm. Code 337, Service Appeal Process.

9) The Department shall accept custody of the child in accordance with the Abused and Neglected Child Reporting Act [325 ILCS 5] if the guardian does not care for him or her to the extent the child's health or well-being is endangered.

- 10) The Department shall provide financial assistance for these children in accordance with Section 302.405(e), Subsidy for Subsidized Guardianship.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

e) Subsidy for the Subsidized Guardianship Program

1) Although eligibility for a subsidy under the subsidized guardianship program shall be determined regardless of the financial circumstances of the prospective subsidized guardian, the types and amounts of assistance under each subsidized guardianship agreement shall be determined by the Department on an individual basis in accordance with the formula described in Appendix B of this Part.

2) The subsidized guardianship agreement providing for ongoing monthly payments shall include an agreement with the subsidized guardian that the amount of any ongoing monthly payments calculated in accordance with Appendix B of this Part shall be reviewed every two years or more frequently and may be readjusted annually or more frequently using the formula in Appendix B. The amounts of ongoing subsidized guardianship payments are subject to change based on changes in State or federal law regarding adoption assistance payments. Subsidized guardians may refuse any or all payments offered by the Department.

3) A relative caregiver or licensed foster parent with a child determined to be eligible for the subsidized guardianship program shall be made aware of the availability of subsidized guardianship, the types of assistance available, the amount of payment, and, in the case of ongoing monthly subsidized guardianship payments, that such payments are subject to review every two years or more frequently and may be readjusted as set forth in subsection (e)(2) above. In order to receive a subsidized guardianship payment, the subsidized guardianship agreement must be signed prior to finalization of the transfer to private guardianship.

4) The type(s), amount and duration of subsidized guardianship shall be agreed to in writing by the Department and the subsidized guardian prior to the finalization of the transfer to private guardianship, and shall be set forth in the subsidized guardianship agreement, which shall be binding on the parties to the agreement. The agreement shall also stipulate that the agreement shall remain in effect regardless of the state where the subsidized guardian resides currently or in the future and shall contain provisions for the protection of the interests of the child in cases where the subsidized guardian and child move to another state while the agreement is in effect. The duration of subsidized guardianship shall continue without further involvement by the court until termination when the child marries or dies, is emancipated, or reaches the age of 18 or 21 as specified in the agreement. The guardianship will also terminate upon the death, incapacity, resignation, or removal of the guardian.

5) While guardianship is terminated under the Probate Act when a child reaches age 18, financial assistance may be provided

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

through age 19 for a child still in high school or until age 21 for children with certain mental or physical handicapping conditions only.

f) Demonstration and Cost Neutrality Groups
Although participation in the subsidized guardianship program is Statewide, for purposes of meeting the cost neutrality, federal funding, and evaluation requirements of the federal waiver demonstrations, clients will be randomly assigned in three geographical areas of the State to a demonstration group or a cost neutrality group. The demonstration group will be subject to the waiver provisions of the demonstration, and the cost neutrality group will be subject to the regular treatment services according to the Department's rules and procedures. The three areas are:

1) the Cook Central Region.
2) the East St. Louis sub-region serving the following counties:

A) Madison;
B) St. Clair;
C) Bond;
D) Clinton;
E) Washington;
F) Monroe; and
G) Randolph.

3) the Peoria sub-region serving the following counties:

A) Fulton;
B) Henderson;
C) Knox;
D) Warren;
E) Henry;
F) LaSalle;
G) McDonough;
H) Mercer;
I) Rock Island;
J) Tazewell;
K) Woodford;
L) Peoria;
M) Bureau;
N) Marshall;
O) Putnam; and
P) Stark.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 302.APPENDIX B Calculating the Amount of Adoption Assistance

a) The monthly adoption assistance subsidy shall not exceed \$95-less-than the licensed foster family payment standard for the applicable type of foster care. ~~placement-in-which-the-child-was-placed--when--in--foster care--immediately--prior-to-finalization-of-the-adoption-~~ The maximum amount of the monthly adoption assistance subsidy will increase whenever the child reaches ages one, five, nine, and 12 (except for specialized foster care rates), and whenever a cost of living increase in the foster care rates is granted.

b) The monthly adoption assistance subsidy shall be reduced based on a graduated income scale starting with the adoptive parents' annual taxable income of \$75,000 (after all deductions have been made on their Federal Income Tax return and after the verified costs associated with any post-secondary education or training have been deducted) in accordance with the chart below.

Taxable Family Income	Percentage of Full Adoption Subsidy Rate
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Up to \$74,999	100%
\$75,000 - 79,999	95%
\$80,000 - 84,999	90%
\$85,000 - 89,999	85%
\$90,000 - 94,999	80%
\$95,000 - 99,999	75%
\$100,000 - 104,999	70%
\$105,000 - 109,999	65%
\$110,000 - 114,999	60%
\$115,000 - 119,999	55%
over \$120,000	50%

c) The monthly adoption assistance subsidy will be reduced by the amount of benefits paid on behalf of the child, such as SSA, SSI, Veteran's, Railroad Retirement, Black Lung, or when other income is received for the child.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Uniform System of Accounts for Gas Utilities

2) Code Citation: 83 Ill. Adm. Code 505

3) Section Numbers: Proposed Action:

505.10	Amendment
505.20	Amendment
505.210	Amendment
505.410	Amendment
505.470	Amendment
505.500	Amendment
505.900	New Section
505.1170	New Section
505.1641	New Section
505.1642	New Section
505.1643	New Section
505.1740	New Section
505.2420	New Section
505.3523	New Section
505.4810	New Section
505.4910	New Section
505.4950	New Section
505.8050	New Section
505.8060	New Section
505.8081	New Section
505.8082	New Section
505.8130	New Section
505.8230	New Section
505.8456	New Section
505.8540	New Section
505.8580	New Section

4) Statutory Authority: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].

5) A Complete Description of the Subjects and Issues Involved: The purpose in amending Part 505 is to make the Uniform System of Accounts for Gas Utilities available in an electronic format, to make two minor housekeeping changes, and to make additional language deviations from 18 CFR 201 as of February 11, 1997 in order to reject changes that the Federal Energy Regulatory Commission adopted to meet the needs of gas pipeline companies that have made the transformation from sellers to transporters of natural gas.

6) Will these proposed amendments replace emergency amendments currently in effect? No

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? Yes
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments neither create nor expand any State mandate on units of local government, school districts, or community college districts.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed with:

Donna M. Caton
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280

Comments should be filed with the Chief Clerk within 45 days after the date of this issue of the *Illinois Register*.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: These amendments will affect any natural gas utilities that are also small businesses as defined in the Illinois Administrative Procedure Act. These amendments will not affect any small municipalities or not for profit corporations.

B) Reporting, bookkeeping or other procedures required for compliance: Bookkeeping procedures.

C) Types of professional skills necessary for compliance: Accounting skills.

- 13) Regulatory Agenda on which this rulemaking was summarized: These amendments were not included on either of the 2 most recent agendas because: the Commission did not foresee the need for this rulemaking.

The full text of the Proposed Amendments appears on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 83: PUBLIC UTILITIES
CHAPTER 1: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER d: GAS UTILITIES

PART 505
UNIFORM SYSTEM OF ACCOUNTS FOR GAS UTILITIES

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF
CFR PROVISIONS BY REFERENCE

Section
505.10 Adoption of 18 CFR 201 by Reference
505.20 Adoption of 18 CFR 216 by Reference

SUBPART B: ADDITIONS TO AND DELETIONS FROM CFR PROVISIONS

Section	Definitions
505.200	General Instruction 1
505.210	General Instruction 5
505.250	General Instruction 7 (Repealed)
505.270	General Instruction 7.1 (Repealed)
505.280	General Instruction 12
505.330	General Instruction 13
505.340	General Instruction 16
505.370	General Instruction 17
505.380	General Instruction 18
505.390	General Instruction 20
505.410	Gas Plant Instruction 2 (Repealed)
505.420	Gas Plant Instruction 3
505.430	Gas Plant Instruction 5 (Repealed)
505.450	Gas Plant Instruction 7
505.470	Gas Plant Instruction 10
505.500	Gas Plant Instruction 15
505.550	Balance Sheet Chart of Accounts
505.900	Income Chart of Accounts
505.940	Operation and Maintenance Expense Chart of Accounts
505.970	Account 102 (Repealed)
505.1020	Account 103
505.1030	Account 105
505.1050	Account 105.1
505.1051	Account 108 (Repealed)
505.1080	Account 117
505.1170	Account 164.1
505.1641	Account 164.2
505.1642	Account 164.3
505.1643	Account 166
505.1660	Account 174
505.1740	

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

505.2010 Accounts 201, 202, 203, and 204

505.2070 Account 207

505.2110 Account 211

505.2140 Account 214

505.2420 Account 242

505.3523 Account 352.3

505.4090 Account 409 (Reserved) (Repealed)

505.4160 Account 416

505.4261 Account 426.1

505.4390 Account 439

505.4810 Account 481

505.4910 Account 491

505.4950 Account 495

505.8050 Account 805

505.8060 Account 806

505.8081 Account 808.1

505.8082 Account 808.2

505.8130 Account 813

505.8230 Account 823

505.8456 Account 845.6

505.8540 Account 854

505.8580 Account 858

505.9140 Accounts 914 and 915

505.9302 Account 930.2

APPENDIX G Operation and Maintenance Expense Accounts
EXHIBIT A Accounts 914 and 915

AUTHORITY: Implementing Sections 5-102 and 5-103 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/5-102, 5-103, and 10-101].

SOURCE: Adopted July 14, 1960, effective January 1, 1962; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 177, effective January 1, 1984; amended at 9 Ill. Reg. 4022, effective April 1, 1985; amended at 9 Ill. Reg. 13083, effective August 15, 1985; amended at 13 Ill. Reg. 10858, effective July 1, 1989; amended at 14 Ill. Reg. 1605, effective January 16, 1990; amended at 18 Ill. Reg. 10701, effective July 1, 1994; amended at 22 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS AND ADOPTION OF
CFR PROVISIONS BY REFERENCE

Section 505.10 Adoption of 18 CFR 201 by Reference

The Illinois Commerce Commission adopts 18 CFR 201, as of February 11, 1997 ~~April 17, 1993~~, as its uniform system of accounts for gas utilities, subject to the exceptions set forth in Subpart B Section 505-200-~~et seq.~~ of this Part. No incorporation in this Part includes any later amendment or edition.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 505.20 Adoption of 18 CFR 216 by Reference

The Illinois Commerce Commission adopts 18 CFR 216, as of February 11, 1997, ~~April 17, 1993~~, as its prescription of units of property for use in accounting for additions to and retirements of gas plant. No incorporation of 18 CFR 216 in this Part includes any later amendment or edition.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

SUBPART B: ADDITIONS TO AND DELETIONS FROM CFR PROVISIONS

Section 505.210 General Instruction 1

General Instruction 1, "Classification of Utilities," is deleted and replaced by the following:

"A. This system of accounts applies to all utilities; provided, however, if in the opinion of any utility having annual operating revenues of less than \$10,000,000, this system of accounts should prove to be unduly burdensome, such utility may, with the approval of the Director of Accounting of the Commission, group or combine certain accounts herein in order that the accounting requirements for small utilities may conform more nearly to the nature and volume of business transacted. Requests to group or combine accounts shall be made in writing, including a statement of the proposed modifications. In determining whether this system of accounts is unduly burdensome with respect to a utility, the Director of Accounting shall consider, among other things, whether compliance will require additional resources ~~personnel or additional office equipment such as electronic data processing equipment~~. The Director of Accounting shall make this determination within six months of receiving the written request. Having obtained such approval, the utility shall continue to use the system as modified on a consistent basis.

B. ~~For purpose of implementation, all gas utilities subject to Illinois Commerce Commission jurisdiction shall be regarded as "major" utilities. Account designations, instructions, and references to "nonmajor" utilities will not apply.~~

C. The Commission does not commit itself to the approval or acceptance of any item set out in any account, for the purpose of fixing rates or in determining other matters before the Commission."

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 505.410 General Instruction 20

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

In General Instruction 20, "Accounting Account for leases" in Paragraph ~~paragraph~~ A, second sentence, the phrase which reads "is effective January 1, 1984" is replaced with "was effective August 15, 1985" ~~deleted~~. In the third sentence, of this paragraph, the phrase "reporting to the FERC," is amended to read "reporting to the Commission,".

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.470 Gas Plant Instruction 7

In Gas Plant Instruction 7, "Land and Land Rights," in Paragraph E, the phrase "411.6, Gains from Disposition of Utility Plant, or 411.7, Losses from Disposition of Utility Plant when such property has been recorded in Account 105, Gas Plant Held for Future Use, ~~or in the case of major companies~~," Account 105.1, Production Properties Held for Future Use, otherwise to account" is deleted.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 505.500 Gas Plant Instruction 10

In Gas Plant Instruction 10, "Additions and Retirements of Gas Plant," in Paragraph E, the phrase "411.6, Gains from Disposition of Utility Plant, or 411.7, Losses from Disposition of Utility Plant when the property has been recorded in Account 105, Gas Plant Held for Future Use, ~~or in the case of major companies~~," Account 105.1, Production Properties Held for Future Use, otherwise to accounts" is deleted.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 505.900 Balance Sheet Chart Of Accounts

In the Balance Sheet Chart of Accounts, delete the following accounts: 117.1, Gas stored-base gas; 117.2, System balancing gas; 117.3, Gas stored in reservoirs and pipelines-noncurrent; and 117.4, Gas owed to system gas. To replace the deleted accounts, add Account 117, Gas stored underground-Noncurrent.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.1170 Account 117

In Account 117, Gas stored underground - Noncurrent, the following language replaces the instructions provided in Accounts 117.1, Gas stored-base gas,

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

117.2, System balancing gas, 117.3, Gas stored in reservoirs and pipelines-noncurrent, 117.4, Gas owed to system gas, and the special instructions to these accounts.

"A. This Account shall include the cost of recoverable gas purchased or produced by the utility which is stored in depleted or partially depleted gas or oil fields, or other underground reservoirs, and held for use in meeting service requirements of the utility's customers.

B. Gas stored during the year shall be priced at cost according to generally accepted methods of cost determination consistently applied from year to year. Transmission expenses for facilities of the utility used in moving the gas to the storage area and expenses of storage facilities shall not be included in the inventory of gas except as may be authorized or directed by the Commission.

NOTE B-1: In general, gas stored from the supply in an integrated system shall be priced at the average cost of the gas constituting the common supply of the system, although this general rule may be departed from where conditions of system operation of gas supply and utilization permit a valid presumption that the gas stored may be considered to be from specified sources, as indicated below.

NOTE B-2: When in harmony with the over-all system operation of gas supply and utilization, and the presumption is consistently observed from year to year, gas stored during the year may be presumed to be from total gas purchases, or from purchases from specified sources. When either of these presumptions is proper, the cost of gas stored shall be priced at the weighted average cost of all gas purchased, or at the weighted average cost of purchases from the specified sources, as appropriate. The weighted average cost may be the average for the preceding twelve months, except where a significant change occurs in the cost of gas, the full effect of such change shall be reflected for the period after the change is effective.

NOTE B-3: When in harmony with the over-all system operation of gas supply and utilization, and the presumptions are consistently observed from year to year, gas stored during the year may be presumed to be from identified sources of the utility's own production. Such stored gas shall be priced at the weighted average cost of gas produced from the specified production areas. Where this presumption is made, or where the stored gas is identified as a matter of fact under circumstances which do not permit a proper application of the theory of displacement, the utility shall maintain separate records of the cost of gas produced from such areas and the derivation of the cost used for stored gas from such sources.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

NOTE B-4: Where gas is purchased specifically for storage, or a price concession received because of the storing of purchased gas, such gas shall be priced at the net contract price of the gas so purchased and stored.

NOTE B-5: The provisions of this instruction and the related footnotes shall not be construed as permitting or authorizing a restatement of the amounts at which stored gas inventories are stated on the utility's books at the effective date of this instruction, except as may be authorized by the Commission.

C. Withdrawals of gas may be priced according to the first-in-first-out, last-in-first-out, or weighted average cost method, in connection with which a "base stock" may be employed provided the method adopted by the utility is used consistently from year to year and the inventory records are maintained in accordance therewith. Approval of the Commission must be obtained for any other pricing method, or change in the pricing method adopted by the utility.

D. If the gas of any storage project is withdrawn below the amount established as "base stock" or encroaches upon native gas of a storage reservoir, and such gas is to be replaced within 12 months, it shall be permissible to price such gas at the estimated cost of replacement with purchased gas and to record a deferred credit therefor. For the purpose of this instruction, Account 808, Gas withdrawn from storage - Debit, shall be charged with the estimated cost of such replacement gas and Account 253, Other deferred credits, credited. When replacement of the gas is made the amount in Account 253 shall be cleared and this account credited. This accounting will not affect normal accounting for inputs and withdrawals from storage.

E. Separate records shall be maintained for each storage project of the Mcf of gas delivered to storage, withdrawn from storage, and remaining in storage. The projects shall be grouped, however, for the purpose of maintaining inventory cost records of the cost of gas in storage. Exceptions to this general rule are permitted in any of the following circumstances:

- (a) Projects at the supply end of long transmission lines,
- (b) Projects located on separate noninterconnected pipeline systems, and
- (c) Projects which by contractual arrangements approved by the Commission are devoted exclusively to the service of specified customers, and no portion of the gas withdrawals from any such project becomes part of the common system gas supply by displacement or otherwise.

Where the utility establishes specified volumes of gas as "base

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

stock," separate inventory cost records by projects shall be maintained therefor.

F. Amounts debited to this Account for gas placed in storage shall be credited to Account 808.2, Gas delivered to storage - Credit. Amounts credited to this account for gas withdrawn from storage shall be debited to Account 808, Gas withdrawn from storage - Debit.

G. Adjustments for inventory losses due to cumulative inaccuracies of gas measurements, or from other causes, shall be charged to Account 823, Gas losses. In the operation of storage projects, the utility shall maintain such procedures of verification as will disclose and result in prompt accounting recognition of significant losses. This account shall be credited with an amount equal to that debited to Account 164.1, Gas stored underground - Current, to classify for balance sheet purposes such portion of the total inventory of gas stored underground as constitutes a current asset according to conventional rules for classification of current assets. (See Account 164.1.)"

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.1641 Account 164.1

In Account 164.1, Gas stored underground - Current, the instructions shall be restated as follows:

"This Account shall be debited with such amounts as are credited to Account 117, Gas stored underground - Noncurrent, to reflect classification for balance sheet purposes of such portion of the inventory of gas stored underground as represents a current asset according to conventional rules for classification of current assets."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.1642 Account 164.2

In Paragraph D of Account 164.2, Liquefied natural gas stored, the term "Dth" is replaced with "Mcf" to be stated as follows:

"Withdrawals of gas may be priced according to the first-in-first-out, last-in-first-out, or weighted average cost method provided the method adopted by the utility is used consistently from year to year and inventory records are maintained in accordance therewith. Commission approval must be obtained for any other pricing method or for any change in the pricing method adopted by the utility. Separate records shall be maintained for each storage project of the Mcf of gas delivered to storage and remaining in storage."

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.1643 Account 164.3

In Paragraph D of Account 164.3, Liquefied natural gas held for processing, the term "Dth" is replaced with "Mcf" to be stated as follows:

"Withdrawals of gas held for vaporization may be priced according to the first-in-first-out, last-in-first-out or weighted average cost method provided the method adopted by the utility is used consistently from year to year and inventory records are maintained in accordance therewith. Commission approval must be obtained for any other pricing method or for any change from the pricing method adopted by the utility. Separate records shall be maintained for Mcf of gas purchased for processing, processed, and remaining for processing."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.1740 Account 174

In Account 174, Miscellaneous current and accrued assets, delete the "A" designating the first paragraph as Paragraph A and delete Paragraph B.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.2420 Account 242

In Account 242, Miscellaneous current and accrued liabilities, delete the "A" designating the first paragraph as Paragraph A and delete Paragraph B.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.3523 Account 352.3

In Account 352.3, Nonrecoverable natural gas, replace Paragraph B with the following language:

"Such nonrecoverable gas shall be priced at the acquisition cost of native gas or, when acquired for storage by purchase or presumed to be supplied from the utility's own production, priced as outlined in Paragraph B of Account 117, Gas stored underground - Noncurrent. After devotion to storage, the cost of the gas shall not be restated to effect subsequent price changes in purchased gas or changes in the cost of gas produced by the utility. When the utility has followed the practice of adjusting nonrecoverable gas to the weighted average cost of gas purchased or supplied from its own production, cost shall be

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED AMENDMENTS

the weighted average cost of such gas at the effective date of this Account."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.4810 Account 481

In Paragraph C of Account 481, Commercial and industrial sales, the term "Dth" is replaced with "Mcf" to be stated as follows:

"Records shall be maintained so as to show separately the revenues from commercial and industrial customers, as follows: Large commercial and industrial sales (wherein shall be included the revenues from customers which use large volumes of gas, generally in excess of 200,000 Mcf per year or approximately 800 Mcf per day of normal requirements. Reasonable deviations are permissible in order that transfers of customers between the large and small classifications may be minimized). Small commercial and industrial sales (wherein shall be included the revenues from customers which use volumes of gas generally less than 200,000 Mcf per year or less than approximately 800 Mcf per day of normal requirements)."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.4910 Account 491

In Account 491, Revenues from natural gas processed by others, the language in Paragraph B is restated as follows:

"The records supporting this Account must be maintained so that full information concerning determination of the revenues will be readily available concerning each processor of gas of the utility, including as applicable: (a) the Mcf of gas and approximately average Btu content thereof per cubic foot delivered to such other party for processing, (b) the Mcf of gas and approximately average Btu content thereof per cubic foot of gas received back from the processor, (c) the field, general production area, or other source of the gas processed, (d) Mcf of gas used for processing fuel, etc., which is chargeable to the utility, (e) total gallons of each product recovered by the processor and the utility's share thereof, (f) the revenues accruing to the utility, and (g) the basis of determination of the revenues accruing to the utility. Such records shall be maintained even though no revenues are derived from the processor."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.4950 Account 495

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

In Account 495, Other gas revenues, delete item 8.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8050 Account 805

In Account 805, Other gas purchases, delete Paragraphs C and D.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8060 Account 806

In Account 806, Exchange gas, restate as follows:

"This Account includes debits or credits for the cost of gas in unbalanced transactions where gas is received from or delivered to another party in exchange transactions and receipt and delivery of such gas is not completed during the accounting period. The costs are to be determined consistent with the accounting method adopted by the utility for its system gas. Contra entries to those in this Account are to be made to Account 174, Miscellaneous current and accrued assets, for gas receivable and to Account 242, Miscellaneous current and accrued liabilities, for gas deliverable under such transactions. Such entries must be reversed and appropriate contra entries made to this Account when gas is received or delivered in satisfaction of the amounts receivable or deliverable."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8081 Account 808.1

In Paragraph A of Account 808.1, Gas withdrawn from storage - Debit, restate as follows:

"This Account shall include debits for the cost of gas withdrawn from storage during the year. Contra credits for entries to this Account shall be made to Account 117, Gas stored underground - Noncurrent, or Account 164.2, Liquefied natural gas stored, as appropriate."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8082 Account 808.2

In Paragraph A of Account 808.2, Gas delivered to storage - Credit, restate as follows:

"This Account shall include credits for the cost of gas delivered to

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

storage during the year. Contra debits for entries to this Account shall be made to Account 117, Gas stored underground - Noncurrent, or Account 164.2, Liquefied natural gas stored, as appropriate."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8130 Account 813

In Account 813, Other gas supply expenses, delete Paragraph B.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8230 Account 823

In Account 823, Gas losses, restate as follows:

"This Account shall include the amounts of inventory adjustments representing the cost of gas lost or unaccounted for in underground storage operations due to cumulative inaccuracies of gas measurements or other causes. (See Paragraph G of Account 117, Gas stored underground - Noncurrent.) If, however, any adjustment is substantial, the utility may, with approval of the Commission, amortize the amount of the adjustment to this Account over future operating periods."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8456 Account 845.6

In Paragraph B of Account 845.6, Processing of liquefied or vaporized gas by others, the term "Dth" is replaced with "Mcf or Btu" to be stated as follows:

"Records supporting this Account shall be so maintained that there shall be readily available for each agreement, the name of the other party, Mcf or Btu of gas delivered to the other party for processing and the Mcf or Btu of gas received back by the utility after processing, points of delivery to and receipt of gas from the other party, and amount and basis of charges for the processing service."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8540 Account 854

In Paragraph B of Account 854, Gas for compressor station fuel, the term "Dth" is replaced with "Mcf" to be stated as follows:

"Records shall be maintained to show the Mcf of gas consumed at each

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED AMENDMENTS

compressor station and the cost of such gas."

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 505.8580 Account 858

In Paragraph B of Account 858, Transmission and compression of gas by others, the term "Dth" is replaced with "Mcf" to be stated as follows:

"Records supporting this Account shall be so maintained that there shall be readily available for each agreement, name of other party, Mcf of gas delivered to the other party for transmission or compression and the Mcf of gas received back by the utility after transmission or compression, points of delivery to and receipt of gas from other party, and amount and basis of charges for the transmission or compression service."

(Source: Added at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Health Maintenance Organization
- 2) Code Citation: 50 Ill. Adm. Code 5421
- 3) Section Numbers:
5421.20 Amendment
5421.110 Amendment
5421.111 Amendment
5421.131 New Section
- 4) Statutory Authority: Implementing and authorized by Sections 4-17, 5-2 and 5-7 of the Health Maintenance Organization Act [215 ILCS 125/4-17, 5-2 and 5-7 (see P.A. 90-0376, effective August 14, 1997)].
- 5) A Complete Description of the Subjects and Issues Involved: These amendments will set forth regulatory standards pursuant to P.A. 90-0376 which authorizes Health Maintenance Organizations to make basic outpatient preventive and primary health care services available to children under the age of 19 who are otherwise unable to obtain health care benefits.
- 6) Will this proposed amendment replace an emergency rule currently in effect? Yes
- 7) Does this amendment contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

David Van Lieshout
Assistant Chief Counsel
Department of Insurance
320 West Washington
Springfield, IL 62767
217-782-2867

or

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Mary Meyer

Paralegal

Department of Insurance

320 West Washington

Springfield, IL 62767

217-785-8220

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:

None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this amendment was summarized: July 1997

The full text of the Proposed Amendments is identical to the Emergency Amendment being published in this issue of the Illinois Register on page:

15262 -

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Medical Practice Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1285
- 3) Section Numbers: Proposed Action:
1285.215 Amendment
- 4) Statutory Authority: Medical Practice Act of 1987 [225 ILCS 60]
- 5) A Complete Description of the Subjects and Issues Involved: Currently, the Department is required to open a case against a licensee upon receipt of a claim, regardless of the merits or whether or not the claim is even a violation of the Medical Practice Act. By defining "initial claim" and further defining "complaint", this proposed rulemaking is designed to give the Department's Enforcement Division greater flexibility to close cases lacking merit so that the process is not needlessly slowed by running cases through the Complaint Committee that, even if true, would not be violations of the Act and therefore not subject to disciplinary action.
- 6) Will these proposed amendments replace emergency rules currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local governments.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813
Fax: 217/782-7645

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.
- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing medical services.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: Medical or
chiropractic skills are required for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1285

MEDICAL PRACTICE ACT OF 1987

SUBPART A: MEDICAL LICENSING, RENEWAL
AND RESTORATION PROCEDURE

Section	
1285.20	Six (6) Year Post-Secondary Programs of Medical Education
1285.30	Programs of Chiropractic Education
1285.40	Approved Postgraduate Training Programs
1285.50	Application for Examination
1285.60	Examinations
1285.70	Application for a License on the Basis of Examination
1285.80	Licensure by Endorsement
1285.90	Temporary Licenses
1285.91	Visiting Resident Permits
1285.95	Clinical Skills Standards for Applicants Having Graduated More Than
	Five (5) Years Prior to Application
1285.100	Visiting Professor Permits
1285.101	Visiting Physician Permits
1285.105	Chiropractic Physician Preceptorship
1285.110	Continuing Medical Education (CME)
1285.120	Renewals
1285.130	Restoration and Inactive Status
1285.140	Granting Variances

SUBPART B: MEDICAL DISCIPLINARY PROCEEDINGS

Section	
1285.200	Medical Disciplinary Board
1285.205	Complaint Committee
1285.210	The Medical Coordinator
1285.215	Complaint Handling Procedure
1285.220	Informal Conferences
1285.225	Consent Orders
1285.230	Summary Suspension
1285.235	Mandatory Reporting of Impaired Physicians by Health Care
	Institutions
1285.240	Standards
1285.245	Advertising
1285.250	Monitoring of Probation and Other Discipline and Notification
1285.255	Rehabilitation
1285.260	Fines
1285.265	Subpoena Process of Medical and Hospital Records

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

1285.270 Inspection of Physical Premises
1285.275 Failing to Furnish Information

SUBPART C: GENERAL INFORMATION

Section

1285.310 Public Access to Records and Meetings
1285.320 Response to Hospital Inquiries
1285.330 Rules of Evidence

AUTHORITY: Implementing the Medical Practice Act of 1987 [225 ILCS 60] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 13 Ill. Reg. 483, effective December 29, 1988; emergency amendment at 13 Ill. Reg. 651, effective January 1, 1989, for a maximum of 150 days; emergency expired May 31, 1989; amended at 13 Ill. Reg. 10613, effective June 16, 1989; amended at 13 Ill. Reg. 10925, effective June 21, 1989; emergency amendment at 15 Ill. Reg. 7785, effective April 30, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 13365, effective September 3, 1991; amended at 15 Ill. Reg. 17724, effective November 26, 1991; amended at 17 Ill. Reg. 17191, effective September 27, 1993; expedited correction at 18 Ill. Reg. 312, effective September 27, 1993; amended at 20 Ill. Reg. 7888, effective May 30, 1996; amended at 22 Ill. Reg. _____, effective _____.

SUBPART B: MEDICAL DISCIPLINARY PROCEEDINGS

Section 1285.215 Complaint Handling Procedure

a) The following definitions shall apply to this Part:

1) "Initial claim" shall mean an allegation made against a physician or physician assistant that results in a preliminary analysis to determine whether or not the Department should conduct a further investigation.

2) "Complaint" shall mean the ~~initial--claim--or~~ allegation made against a physician or physician assistant which results in a ~~preliminary~~ an inquiry or investigation. To become a complaint, an initial claim must present a potential violation of Section 22 of the Act and must not be barred by the statute of limitations or be precluded by some other inherent defect that would prevent the Department from being able to prove an Act violation. The Chief of Medical Investigations shall determine whether an initial claim shall become a complaint. ~~to-determine-whether-or-not-a-format-complaint-shall-be-brought.~~

3) "Formal Complaint" shall mean the motion of the Department or the Disciplinary Board or the verified complaint in writing of any person alleging facts which would constitute grounds for the

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

revocation or other disciplinary action of the license of a physician or physician assistant under Section 22 of the Act.
b) ~~Initial~~ ~~claims~~ ~~complaints~~ against physicians and physician assistants may be made in writing, by telephone, or in person. All ~~initial~~ ~~claims~~ ~~complaints~~ shall be forwarded to the Chief of Medical Investigations for review.

c) After review the Chief of Medical Investigations, in conjunction with a Medical Coordinator, will determine that a complaint:

1) ~~Has--no-merit--either-because-the-complaint-contains-insufficient-information-to-warrant-an-investigation--or-because-the-complaint-does-not-allege-violation-of-the-Act--or~~
2) ~~is~~ ~~is~~ ready for immediate consideration by the Complaint Committee for prosecution potential.

d) No complaint shall be deemed closed except upon recommendation of the Complaint Committee and approval by the Disciplinary Board.

e) At any time during an investigation the Department may enter into negotiations to resolve issues informally by way of a consent order. Factors to be considered in deciding whether to enter settlement negotiations shall include, but not be limited to: sufficient investigation of the case; whether there was physical harm or injury to a patient; relative severity of the respondent's alleged conduct; and, past practices of the Department.

f) Disqualification of a Disciplinary Board Member

1) A Disciplinary Board member shall disqualify himself from consideration of a complaint or formal complaint when he/she determines that he/she has a conflict of interest or prejudice which would prevent him/her from being fair and impartial.

2) Participation in the initial stages of the handling of a complaint including participation on the Complaint Committee and in informal conferences shall not bar a Disciplinary Board member from future board participation or decision making relating to that complaint.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Inspection Procedures for Type I School Buses2) Code Citation: 92 Ill. Adm. Code 441

<u>Section Numbers:</u>	<u>Proposed Action:</u>
441.10	Amend
441.25	Amend
441.40	Amend
441. Appendix A	Amend
441. Appendix B	Amend
441. Appendix C	Amend
441. Appendix D	Amend
441. Appendix E	Amend
441. Appendix F	Amend
441. Appendix G	Amend
441. Appendix H	Amend
441. Appendix I	Amend
441. Appendix J	Amend
441. Appendix K	Amend
441. Illustration E	Repeal
441. Illustration F	Add

4) Statutory Authority: Implementing and authorized by Article VIII of the Illinois Vehicle Equipment Law [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13].

5) A complete description of the subjects and issues involved: By this Notice, the Department proposes to update, clarify and correct the Illinois school bus inspection procedures. This proposed amendment corresponds with the adoption of 92 Ill. Adm. Code 458. Part 458 addresses the school bus driver's pretrip inspection requirements which the Department is removing from this Part. Section 441. Illustration E is being repealed and a new Illustration, Illustration F: School Bus Emergency Exits, is being added to the Part. The following details specific changes made to Sections in this Part.

Section 441.10 Purpose and Scope: The Department is removing the reference to the daily pretrip inspection requirements performed by the school bus driver. These requirements have been adopted at 92 Ill. Adm. Code 458.

Section 441.25 Incorporation by Reference of Federal Regulations: The Department is updating the reference to the federal regulations as of October 1, 1996, and is deleting the references to federal final rules which are now contained in the CFR.

Section 441.40 Definitions: The Department is adding a definition of "interstate school bus", is removing the reference to "state certification

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

label" in the definition of "Manufacturer", is removing the definition of "newton", is amending the definition of "school bus" and is adding a definition of "seating reference point".

Section 441. Appendix A Air Cleaner through Barrier, Guard: The Department is updating the reference to the federal regulations, is clarifying the requirements for aisles adjacent to side emergency doors, is adding an Agency Note regarding flip-up seats, and is clarifying language regarding height requirements for guard barriers.

Section 441. Appendix B Battery or Batteries through Bumper, Front: The Department is amending the rejection criteria for brake drums/discs, is clarifying language regarding emergency brake warning lights, is adding inspection criteria for low pressure warning devices for air brake systems, is clarifying language for inspecting hydraulic brake systems, is correcting the reference to Brake Inspection Report, is adding rejection criteria for computerized brake testing equipment, and is replacing language for crossing control arms with a reference to crossing control arm in Appendix C.

Section 441. Appendix C Bumper, Rear through Drive Shaft Guard: The Department is deleting the "s" in the word "standards" in defrosters and is adding criteria for crossing control arms pursuant to P.A. 90-108, effective July 14, 1997.

Section 441. Appendix D Electrical System through Fenders: The Department is updating the references to the federal regulations, is clarifying the language for alarms and installation specifications on roof hatches, is adding criteria for inside release mechanisms on side emergency exits, is adding criteria for the condition of doors and rubber seals around the doors, is adding language regarding side emergency exits for buses manufactured on or after September 1, 1994, is clarifying language regarding alarms on emergency exits, is adding language for locks and alarms on entrance doors, is clarifying procedures for inspection of exhaust systems, and is removing "patching" of exhaust system from rejection criteria.

Section 441. Appendix E Filter, Oil through Frame and Body: The Department is adding "interior engine cover" to inspection of floors and floor covering, and is removing the requirement that floor covering be "rib type."

Section 441. Appendix F Fuel Storage and Delivery System through Horn: The Department is correcting the reference to Section 441. Illustration E and is correcting language regarding the placement of a fuel identification decal for vehicles powered by an alternate fuel system, and is adding additional inspection procedures for inspection of interior grab handles.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.Appendix G. Instruments and Instrument Panel through Locked Compartment: The Department is adding voltmeter to instruments and instrument panel, is updating the reference to the federal regulations, is correcting the reference to alternate fuel decal, is removing language regarding optional route identification markers from the exterior section of lettering (the language is located in the interior section), is adding language requiring the vehicle's length to be posted inside the bus (effective 1/1/99), is adding requirements for color order of flashing lights, is adding a requirement for flashing light's pilot lights to function, is adding inspection criteria for high/low beams on headlights, and is deleting the requirement that armored turn signal lamps be "flush mounted."

Section 441.Appendix H. Mirrors through Rub Rails: The Department is deleting the requirement that all mirrors be adjustable, is adding the requirement that all mirrors meet FMVSS 49 CFR 571.111 (Rearview Mirrors), is deleting the requirement that the right side safety mirror be adjustable, is adding language that allows retroreflective tape to be located on the rear bumper under certain conditions, is adding criteria for optional white roofs, is clarifying language regarding required and optional retroreflective tape, is clarifying the requirement for padding interior roof projections, is adding an Agency Note for cross reference to Radio Noise requirements, and is adding "Radio Noise" as a component to establish criteria for location of radio/stereo speakers.

Section 441.Appendix I. Seat Belts through Steps, Entrance: The Department is deleting the requirement that optional passenger seat belts meet federal standards (no federal standards exist for vehicles this size), is adding a requirement that optional passenger seat belts meet the bus body's manufacturer's specifications, is adding language to allow child restraint systems on school buses provided they are installed according to the restraint's manufacturer's specifications, is deleting the reference to the distance between the driver's seat and the first seat behind the driver (federal standard prevails), is adding specific procedures to measure the height of a seat back, is clarifying rejection criteria for measuring seat back height, and is removing language which references guard barrier requirements (see Section 441.Appendix A Air Cleaner through Barrier, Guard) and is correcting language regarding flip-up seats.

Section 441.Appendix J. Stop Signal Arm Panel through Tow Hooks: The Department is renaming "stop arm panel" to "stop signal arm panel" for consistency with 92 Ill. Adm. Code 440, is adding requirements for additional (optional) stop signal arm panels and is adding "broken" as rejection criteria for shocks.

Section 441.Appendix K. Undercoating through Windshield Wipers: The Department is amending inspection procedures and rejection criteria for

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

measuring the tread groove depth of tires on the drive axle -- the procedures are not identical to those used on the steering axle, is moving and clarifying the statement regarding the location where tire measurement is prohibited, is amending the rejection criteria for windows, and is adding rejection criteria for "star chips" on the windshield.

Section 441.Illustration E. Driver's PreTrip Inspection Requirements and Sample Form: The Department is repealing the illustration to remove the school bus driver pretrip inspection requirements to correspond with 92 Ill. Adm. Code 458 (School Bus Driver's Pretrip Inspection Requirements).

Section 441.Illustration F. School Bus Emergency Exits: The Department is adding Section 441.Illustration F to clarify federal standards which require additional emergency exits on school buses depending on the size of the bus.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part will affect units of local government that own or operate school buses. It will also affect units of local government that operate an Illinois Official Testing Station authorized to inspect school buses.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:
Ms. Cathy Allen
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building
3215 Executive Park Drive

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Commercial Vehicle Safety; 3rd Floor
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
2300 South Dirksen Parkway, Room 300
Springfield, IL 62764
(217) 782-3215

Comments received within 45 days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This Part affects small businesses that own or operate school buses. It will also affect small businesses that operate Illinois Official Testing Stations authorized to inspect school buses.

B) Reporting, bookkeeping or other procedures required for compliance: No additional skills are necessary for compliance with this Part.

C) Types of professional skills necessary for compliance: No additional skills are necessary for compliance with this Part.

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 441

INSPECTION PROCEDURES FOR TYPE I SCHOOL BUSES

Section

441.10 Purpose and Scope

441.20 Application

441.25 Incorporation by Reference of Federal Regulations

441.30 Standards of Construction

441.40 Definitions

APPENDIX A Air Cleaner Through Barrier, Guard

APPENDIX B Battery or Batteries Through Bumper, Front

APPENDIX C Bumper, Rear Through Drive Shaft Guard

APPENDIX D Electrical System Through Fenders

APPENDIX E Filter, Oil Through Frame and Body

APPENDIX F Fuel Storage and Delivery System Through Horn

APPENDIX G Instruments and Instrument Panel Through Locked Compartment

APPENDIX H Mirrors Through Rub Rails

APPENDIX I Seat Belts Thru Steps, Entrance

APPENDIX J Stop Signal Arm Panel Through Tow Hooks

APPENDIX K Undercoating Through Windshield Wipers

ILLUSTRATION A Stop Arm Panels

ILLUSTRATION B Exhaust Guidelines

ILLUSTRATION C Brake Inspection Report

ILLUSTRATION D Propane Decal

ILLUSTRATION E Driver's Pre-Trip Inspection Requirements and Sample Form (Repealed)

ILLUSTRATION F School Bus Emergency Exits

AUTHORITY: Implementing and authorized by Article VIII of the Illinois Vehicle Equipment Law [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13].

SOURCE: Adopted at 19 Ill. Reg. 4523, effective March 13, 1995; amended at 22 Ill. Reg. _____, effective _____.

Section 441.10 Purpose and Scope

This Part prescribes the requirements of the Illinois Department of Transportation governing:

- a) implementation of Article VIII, the Illinois Vehicle Equipment Law [625 ILCS 5/Ch. 12, Art. VIII]; and
- b) inspection procedures for Type I school buses;⁷ and
- c) performance-of-the-daily-pre-trip-inspection-by-school-bus-drivers.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

primary or secondary school operated by a religious institution; or

Any public, private or religious nursery school.

This definition shall not include the following:

A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is:

On a regularly scheduled route for the transportation of other fare paying passengers;

Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or

Being used for shuttle service between attendance centers or other educational facilities.

A motor vehicle of the first division. (Section--1-182--of the Code)

A motor vehicle designed for the transportation of not less than 7 nor more than 16 persons that is operated by or for a public or private primary or secondary school, including any primary or secondary school operated by a religious institution, for the purpose of transporting not more than 15 students to and from interscholastic athletic or other interscholastic or school sponsored activities. (Section 1-182 of the Code)

"Seating Reference Point" - the unique design H-point, as defined in SAE J1100, which simulates the position of the pivot center of the human torso and thigh. Each school bus manufacturer utilizes different criteria to determine the specific seating reference point on passenger seats for vehicles they manufacture.

"Vehicle" -

First Division: Those motor vehicles which are designed for the carrying of not more than ten persons.

Second Division: Those vehicles which are designed for carrying more than ten persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

property, freight or cargo, those motor vehicles of the First Division remodelled for use and used as motor vehicles of the Second Division, and those motor vehicles of the First Division used and registered as school buses. (Section 1-217 of the Code)

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX A Air Cleaner Through Barrier, Guard

a) AIR CLEANER

PROCEDURE/SPECIFICATIONS:

Any type is acceptable.

REJECT VEHICLE IF:

Air cleaner is not properly attached or is missing.

b) AISLE

PROCEDURES/SPECIFICATIONS:

Unobstructed minimum clearance leading from service door to emergency door (or back of bus) must be at least 12 inches (305 mm) wide. For buses manufactured in July 1987 or later, aisle width at two inches below top of seat back must be 15 inches (380 mm). Floor to ceiling height must be a minimum of 68.9 inches (1.75 m) at any location within the aisle.

An A-dedicated aisle may be adjacent to any side emergency door. For buses manufactured on or after September 1, 1994, the following must be met:

1) ~~the aisle must be unobstructed at all times.~~

2) ~~No portion of a seat or barrier may extend past the door opening.~~

1) An unobstructed aisle measuring at least 11.7 inches (30 cm) must be maintained at all times, except when a flip-up seat is in the down position.

2)3) No portion of the door latch mechanism can be obstructed by a seat.

3)4) ~~The there--must-be-at-least 11.7 inch inches (30 cm) aisle is measured from the door opening to the seat back in front. (49 CFR~~

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

571.217) ~~457-PR-494137-November-27-1992+-as amended-at-59-PR-229977-May-47-1994)~~

AGENCY NOTE:

Flip-up seats are allowed. See SEATS, PASSENGER for standards.

REJECT VEHICLE IF:

Aisle does not meet minimum standards.

c) ALTERNATOR
(GENERATOR)PROCEDURES/SPECIFICATIONS:

The generator, or alternator with rectifier, shall have a minimum capacity rating of 60 amperes and shall be capable of meeting all electrical requirements.

REJECT VEHICLE IF:

Alternator does not meet minimum standards or is not functioning.

d) AXLES

PROCEDURES/SPECIFICATIONS:

Must meet federal chassis requirements as indicated on federal certification label. (49 CFR 568) ~~49927~~

REJECT VEHICLE IF:

Axles show visible signs of apparent damage, leaking fluids or are not firmly attached.

e) BARRIER,
GUARDPROCEDURES/SPECIFICATIONS:

A guard barrier, constructed and thickly padded so as to provide head, knee and leg protection, shall be installed in front of each forward facing passenger seat that does not directly face the rear surface of another passenger seat. The barrier must measure the same height as the passenger seat back directly behind that barrier ~~4-e-77-24~~

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

inches. [49 CFR 571.222]

In a bus manufactured in January 1988 or later, guard barriers must measure the same height required of as the seat back directly behind that barrier fire-28-inches.

Exception: In a bus manufactured from July 1, 1987, to December 31, 1987, the barrier may measure be less than the required 28-inch seat back behind the barrier.

Exception: In a bus with chassis (incomplete vehicle) manufactured in March 1977 or earlier, the barrier may consist of a floor-to-ceiling vertical stanchion, padded to within three inches of ceiling and floor, and a stanchion-to-wall, fully padded, horizontal guard rail. However, if located adjacent to stepwell, this type barrier shall include a stepwell guard panel that extends from the stanchion to the wall and from the guard rail to within two inches of the floor.

Exception: All buses manufactured prior to September 1974 are exempt from padding on stanchions and guard rails.

Exception: See 92 Ill. Adm. Code 445. Appendix A (Inspection Procedures for Special Education School Buses) for possible exception.

REJECT VEHICLE IF:

Barrier is not solidly attached. Padding or covering shows wear and tear. Barrier does not meet requirements.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX B Battery or Batteries Through Bumper, Front

a) BATTERY OR BATTERIES

PROCEDURES/SPECIFICATIONS:

One or more batteries may be mounted either in engine compartment or on outside of passenger/driver area. Battery (or batteries together) in a 12 volt system shall be rated, when new, to provide the following:

Engine manufacturer's recommended Cold Cranking Current (amperes for 30 seconds) at -18 degrees C (0 degree F) or, at the purchaser's option, at -29 degrees C (-20 degrees F).

The battery(s) shall provide a Reserve Capacity (duration of 25 ampere current flow) at 27 degrees C (80 degrees F) for no less than 135 minutes.

Low rate discharge capacity of 90 ampere-hours or more (20 hour discharge test at 80 degrees F).

Exception: A bus manufactured in August 1974 or earlier may have a 70 ampere-hour battery, in a 12 volt system.

REJECT VEHICLE IF:

Battery or batteries are not securely mounted; excessively corroded; of insufficient capacity.

b) BATTERY CABLES

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Cables are corroded or are not securely attached.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

c) BATTERY
CARRIERPROCEDURES/SPECIFICATIONS:

When the battery is mounted outside the engine compartment it shall be welded or bolted in a closed, weather-tight, and vented compartment that is located and arranged so as to provide for convenient routine servicing. The battery compartment door, or cover, shall be secured by a manually operated latch or other fastener. A latch or fastener must be designed in such a fashion as to keep the door closed when in the latched position. Each electrical cable connecting the battery in this carrier to the body or chassis shall be one piece between the terminal connector and the first body or chassis terminal connector.

REJECT VEHICLE IF:

Battery carrier does not meet requirements.

d) BRAKES

PROCEDURES/SPECIFICATIONS:

Every motor vehicle shall be equipped with two separate means of applying the brakes and they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes. (Section 12-301(a) of the Illinois Vehicle Equipment Law)

REJECT VEHICLE IF:

Brakes do not meet requirements.

1) Backing
PlatePROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Backing plate is in poor condition.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

2) Drums/
DiscsPROCEDURES/SPECIFICATIONS:

Inspect drums and/or discs for cracks or for being worn or reworked beyond the manufacturer's minimum limits marked-discard-limit.

REJECT VEHICLE IF:

Worn or reworked beyond the manufacturer's minimum following limits:

- 1) Drum-diameter--040-inch-(1mm)-under
marked-discard-limit-on-type-I-bus.
- 2) Drum-diameter--030-inch-(.75mm)-under
marked-discard-limit-on-type-II-bus.
- 3) Disc-thickness--030-inch-(.75mm)-over
marked-discard-limit-on-any-bus.
- 4) Other-rework-(rebores-reface)-limit
specified-by-chassis-manufacturer.

PROCEDURES/SPECIFICATIONS:

Emergency/parking brake system must apply brakes to at least two wheels. (Section 12-301(a) of the Illinois Vehicle Equipment Law)

Micro brakes are not considered a separate means of braking and are not acceptable.

Procedures for testing:

- 1) Apply operating control fully.
- 2) Check actuating mechanism for release.

Brake Performance Test:

Using Drive-On Pad Type Tester:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Drive vehicle onto brake machine pads at 4-8 m.p.h.
- 2) Apply emergency/parking brakes to bring vehicle to a halt. Do not lock wheels.
- 3) Note the braking forces registered by the brake machine.

Using Roll-On Type Tester:

- 1) Position axle with emergency brake onto roller.
- 2) Apply emergency brake but do not lock wheels.

REJECT VEHICLE IF:

Emergency/parking brake does not meet requirements.

Procedures for testing:

- 1) Not equipped with emergency/parking brakes. Operating mechanism does not hold in the applied position.
- 2) Actuating mechanism does not fully release when release control is operated properly.

Brake Performance Test:

Drive-On Tester:

Machine does not register a total braking force of at least 20% of vehicle empty weight. Braking forces at opposite wheels on same axle vary more than 20%.

Roll-On Tester:

Machine does not register a total braking force of at least 20% of vehicle empty weight. Braking forces at opposite wheels on same axle vary more than 20%.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 4) Emergency Brake Ratchet (Pedal or Lever)

PROCEDURES/SPECIFICATIONS:

Must be in proper adjustment. If vehicle was manufactured with a warning light, it ~~a-warning-light~~ must be visible when emergency brake is activated.

REJECT VEHICLE IF:

Emergency brake ratchet or warning light do not meet requirements.

- 5) Pedal Clearance (Service Brakes)

PROCEDURES/SPECIFICATIONS:

Minimum 1 1/2 inch clearance with pedal fully depressed.

REJECT VEHICLE IF:

Pedal clearance does not meet requirements.

- 6) Power Systems

A) Air

i) Air PressurePROCEDURES/SPECIFICATIONS:

With air system fully charged (compressor governor "cut-out") run engine at low idle. Make one full (maximum) brake application and immediately record reservoir air pressure.

Apply and release brakes until pressure indicated on the air gauge is at least 10 psi

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

(i.e., pounds per square inch) below governor "cut-in" pressure. Run engine at high idle and determine seconds required to raise reservoir pressure from recorded pressure.

REJECT VEHICLE IF:

Time required to raise air pressure from recorded to cut-out is more than 30 seconds. Air gauge is missing or does not operate.

ii) Low Pressure Warning DevicePROCEDURES/SPECIFICATIONS:

Complete the following steps to evaluate low pressure warning device.

- 1) Before starting the engine, apply brakes and release until low air pressure pressure warning device functions.
 - 2) Start the engine.
 - 3) Apply service brakes and release until air compressor is activated.
 - 4) Continue to run engine until compressor cut-out pressure is reached.
 - 5) Record compressor cut-out pressure.
 - 6) Shut engine off.
- Determine if low pressure warning device is missing or inoperative.

If located in the driver's forward field of view, the warning device can be a visual device only. If not located in the driver's front view, the device must be both audible and visible. For buses manufactured before September 1, 1974, the device can be either audible or visible.

Record the reading found on the pressure gauge at which

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

the low pressure warning device functions.

REJECT VEHICLE IF:

Missing or inoperative low pressure warning device. Device does not meet requirements.

Low pressure warning device does not operate at 55 psi or one half cut-out pressure, whichever is less.

**B) Electric/
Hydraulic**

PROCEDURES/SPECIFICATIONS:

Turn key to engine "off-" position. Depress service brake pedal. Electric hydraulic pump must come "on" (listen).

REJECT VEHICLE IF:

Electric pump does not operate properly or is absent.

C) Hydraulic

PROCEDURES/SPECIFICATIONS:

Inspect booster belt(s), supports, tubes, hoses, connections and general condition. Clean reservoir and cover as necessary and check master cylinder fluid level. Do not contaminate fluid.

Turn key to engine "on-" position.

Warning signal must come on (look/listen). Depress brake pedal lightly. Start engine. Pedal must move downslightly (feel). Warning signal must go "off" (look/listen).

REJECT VEHICLE IF:

Belt is slack or worn; tube or hose is damaged; any part leaks or is cracked; master cylinder fluid is below manufacturer's recommended capacity maximum-level.

Either booster or warning signal does not

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

operate properly.

D) Vacuum/
Hydraulic

PROCEDURES/SPECIFICATIONS:

Inspect tank(s), chambers, hoses, tubes, connectors, clamps, and booster air cleaner.

Inspect supports and attachments.

With engine off, repeatedly apply service brakes until vacuum is depleted, with medium pressure on brake pedal, start engine; release brake and operate engine until maximum vacuum is established; stop engine; apply service brakes hard.

With brakes still applied, start engine; after one minute of running engine, check "Low Vacuum" indicator.

REJECT VEHICLE IF:

Any component is restricted, collapsed, scraped, cracked, loose, or broken. Booster air cleaner is clogged.

Any support or attachment is broken. Any connecting line or other component is not attached or supported so as to prevent damage from scraping or rubbing.

Foot pedal does not fall away from foot when engine is started; insufficient vacuum reserve to permit one full service brake application after engine is off without actuating "low vacuum" indicator; valve or diaphragm leaking.

7) Service
Brakes

PROCEDURES/SPECIFICATIONS:

Must be equipped with service brakes on all wheels. (Section 12-301(a)(5) of the Illinois

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Vehicle Equipment Law)

Must be equipped with a "split system" on service brakes. [49 CFR 571.105]

Power-assisted service brakes are required. [49 CFR 571.105]

REJECT VEHICLE IF:

Service brakes do not meet requirements.

A) Brake
Inspection
Report

PROCEDURES/SPECIFICATIONS:

Verify Brake Inspection Report for following (refer to Section 441.Illustration C for example of form):

1) Vehicle Identification Number (VIN), make and year must correspond to the bus presented for inspection.

2) The Brake Inspection Report must indicate the date and mileage at time the brake inspection was performed. If date is more than one year prior to time of inspection or mileage has exceeded 10,000 miles, a brake inspection must be performed.

3) The form must be completed with all required information. No blank lines are acceptable.

Exception: If the bus has operated less than 10,000 miles and less than 12 months have passed since the bus was manufactured, a Brake Inspection Report an-SB6 form is not required. Write "Less than 10,000 miles and less than one year old" in the remarks section on the Vehicle Inspection Report.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Absent, invalid, or incomplete Brake Inspection Report.

B) Brake Performance Test

PROCEDURES/SPECIFICATIONS:Using Drive-On Pad Type Brake Tester:

Check vehicle's stopping ability before testing.

Drive vehicle onto brake machine pads at 4-8 m.p.h.

Apply service brakes to bring vehicle to a halt. Do not lock wheels.

Note the braking forces registered by the brake machine.

Using Roll-On Type Tester:

When using roller-type tester each axle must be tested separately. Transmission must be in neutral when testing brakes on any drive axle.

Drive front axle onto rollers. Start roller motor. Apply service brakes but do not lock wheels.

Repeat the above steps for each axle.

The total braking force on a vehicle must be determined by adding the results of the test on each axle.

REJECT VEHICLE IF:Drive-On Tester:

Machine does not register a total braking force of at least 60% of the vehicle empty weight.

Computerized tester does not register a total braking force of at least 45% of the vehicle empty

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

weight.

Roll-On Tester:

Braking forces at opposite wheels on same axle vary more than 20%.

Machine does not register a total braking force of at least 60% of the vehicle empty weight. Braking forces at opposite wheels on same axle vary more than 20%.

PROCEDURES/SPECIFICATION:

Either channel type, formed of rolled steel at least .177 inch (4.5 mm) (approximately 3/16 inch) thick, or approved energy absorbing type.

Buses manufactured in August 1974 or later must have 7.9 inches (200 mm) or more vertical black face.

Bumper must extend to outer edges of fenders and other front end sheet metal. Must be of strength to permit pushing vehicle of equal weight without permanent distortion.

(See CROSSING CONTROL ARM in APPENDIX C for requirements.) ~~Bumper may be equipped with a crossing control arm. Crossing control arms can only display yellow reflectors or yellow lamps.~~

Exception: Buses manufactured prior to September 1974 are exempt from bumper thickness and 7.9 inch face requirement.

REJECT VEHICLE IF:

Front bumper does not meet thickness, face height and color requirements. Must be solidly attached, in good condition, free from damage and sharp edges.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX C Bumper, Rear Through Drive Shaft Guard

a) BUMPER,
REARPROCEDURES/SPECIFICATIONS:

Channel steel at least .18 inch (4.55 mm) (approximately 3/16 inch) thick with a minimum 8.9 inches (225 mm) black face, full wrap around and attached so as to prevent hitching rides (i.e., "nonhitchable").

Shall be attached so that removal is possible by commonly available hand tools.

Shall be of strength to permit bus being pushed by another vehicle without permanent distortion.

AGENCY NOTE:

"Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping rear of bus so as to "hitch" rides.

REJECT VEHICLE IF:

Rear bumper does not meet requirements. Not solidly attached. Sharp edges are present. Rear bumper is hitchable.

b) CERTIFICATE AND
REGISTRATION
CARD HOLDERPROCEDURES/SPECIFICATIONS:

At least one card holder with a transparent face no less than 5.9 inches by 3.9 inches (150 mm by 100 mm) shall be securely affixed to the inside header panel out of students' easy reach.

REJECT VEHICLE IF:

Certificate and registration card holder does not meet requirements.

c) CERTIFICATION
LABEL (FEDERAL)PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Inspect federal certification label if the chassis (incomplete vehicle) was manufactured on or after June 1, 1971. The certification label may be supplemented by an alterer's certification.

The manufacturer's label must contain the following information:

- 1) Name of vehicle (bus) manufacturer and the month and year in which manufacture of the vehicle was completed;
- 2) Name of incomplete vehicle (chassis) manufacturer and the month and year in which he performed his last manufacturing operation on the incomplete vehicle;
- 3) Gross vehicle weight rating, or ratings (GVWR);
- 4) Gross axle weight ratings (GAWR);
- 5) The statement, "This vehicle conforms to all applicable federal motor vehicle safety standards in effect in (month/year)";
- 6) The vehicle identification number (VIN);
- 7) The vehicle's classification (usually "BUS" "bus"). [49 CFR 567.5]

Alterer's certification: A certified vehicle might have been altered before its purchase for use as a school bus. The alterations may have included, but are not limited to, classification changes, gross weight rating changes, or changes to the application/effective date of a federal motor vehicle safety standard. If any such alteration occurred, the bus must carry an additional federal label that identifies the alterer, shows when alteration was completed, "as altered" GVWR, GAWR and classification (if changed). It must also state that the altered vehicle conforms to all applicable federal motor vehicle safety

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

standards in effect in (month/year). 49 CFR 567.7

REJECT VEHICLE IF:

A required label is absent, defaced, destroyed, not riveted, or not permanently affixed. "Permanently affixed" means the label cannot be removed without destroying or defacing it.

A certification label does not contain the required statement and all other information required for that label.

d) CROSSING CONTROL
ARM

PROCEDURES/SPECIFICATIONS:

- 1) Required on school buses manufactured after December 31, 1997.
- 2) Must meet or exceed SAE J1133.
- 3) Must be capable of full operation between and including, the temperatures -40° F and 160° F.
- 4) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.
- 5) The arm must be mounted on the far right side (entry side) of the front bumper.
- 6) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage.
- 7) All component parts must meet or exceed any applicable federal motor vehicle safety standards in effect at the time of manufacture.
- 8) The arm must extend at the same time the stop arm panel extends. An independent "on/off" switch is prohibited.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 9) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.

- 10) Red lights and/or red reflectors are prohibited.

REJECT VEHICLE IF:

If equipped, arm does not meet requirements.

PROCEDURES/SPECIFICATIONS:

Using heat from heaters and circulation from fans, defrosting equipment shall keep the windshield, the windows to the left of the operator, and the glass in the service door clear of fog, frost, and snow. Must conform to federal standards 49 CFR 571.103. (Auxiliary fans are not considered to be a defrosting and defogging system.)

REJECT VEHICLE IF:

Defrosting system does not function properly.

Auxiliary fans are not securely mounted or blades are not protected.

f) DRIVE SHAFT
GUARD

PROCEDURES/SPECIFICATIONS:

Shall be of sufficient strength to protect each segment of the drive shaft and prevent it from going through the floor or dropping to the ground if broken.

REJECT VEHICLE IF:

Drive shaft guard is missing, not firmly attached, or does not properly protect each segment of the drive shaft.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX D Electrical System Through Fenders

a) ELECTRICAL
SYSTEM

1) Circuits

PROCEDURES/SPECIFICATIONS:

Shall be arranged in at least nine regular circuits as follows:

- 1) Head, tail, stop (brake) and instrument panel lamps;
- 2) Clearance lamps and any lamp in or adjacent to step risers;
- 3) Interior lamps;
- 4) Starter motor;
- 5) Ignition, emergency exit alarm signals and other alarm signals;
- 6) Turn signal lamps;
- 7) Alternately flashing signal lamps and stop signal arm lamps;
- 8) Horn;
- 9) Heater and defroster.

A separate fuse or circuit breaker for each circuit, except starter motor and ignition.

REJECT VEHICLE IF:

Breaks in insulation are present. Not on proper circuit or properly wired.

PROCEDURES/SPECIFICATIONS:

Two extra fuses for each size fuse used on the bus shall be conveniently mounted on the bus body.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Fuses are not present or are not conveniently mounted.

3) Switches

PROCEDURES/SPECIFICATIONS:

Check operation and condition.

REJECT VEHICLE IF:

Switches are not operating properly or are missing.

4) Wiring

PROCEDURES/SPECIFICATIONS:

All wires shall be properly insulated and securely attached at not more than 18.1 inches (460 mm) intervals. Check condition.

REJECT VEHICLE IF:

Insulation is frayed or missing. Wiring not securely attached.

b) EMERGENCY
EXITSPROCEDURES/SPECIFICATIONS:

All buses must be equipped with either a rear emergency door or a left side emergency door and a rear emergency window. [49 CFR 571.217]

Additional emergency exits, including roof hatches, may be required on buses manufactured on or after May 2, 1994.

[49 CFR 571.217] (See Section 441.Illustration F.) ¶57

PR-494337-~~November-27-1992~~-as-amended at-59-PR-22997-May-47-1994

For those buses manufactured on or after May 2, 1994, each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide yellow retroreflective tape. This yellow retroreflective tape must be on the

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

exterior surface of the bus. (49 CFR 571.217)
~~†57-PR-494†37-November-27-1992†~~

Optional emergency roof hatches are allowed. They must be installed according to manufacturer's specifications. recommendations and no alarm is required.

Open and close roof hatches (required or optional) to verify their operation.

REJECT VEHICLE IF:

Emergency exits do not meet requirements.
Roof hatches do not open.

1) Side

PROCEDURES/SPECIFICATIONS:

Inside release mechanism must be protected against accidental release; easily accessible; and readily operated manually without the use of remote control, power device, or tool.

Shall be hinged on front side and open outward. Shall be equipped with safety glass (or equivalent). Glass shall be located in upper portion of the door. Door shall be of at least the same gauge metal as the body. Shall be 24 inches or more clear horizontal opening, with forward edge of opening in line with the rearmost edge of a seat back. Shall have 45 inches or more clear vertical opening. Door and rubber seal must not be defective. (See Alarms and Locks in this subsection for requirements.)

For buses manufactured on or after September 1, 1994, there must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front. (49 CFR 571.217)

REJECT VEHICLE IF:3) **Emergency Window**

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Release mechanism is not protected, accessible, or operable (inside and outside); unable to open easily; hinge is located at incorrect location; location and size of opening is incorrect. General condition of door and/or rubber seal is defective.

2) Rear

PROCEDURES/SPECIFICATIONS:

Inside release mechanism must be protected against accidental release; easily accessible; readily operated manually without use of remote control, power device, or tool.

Shall have permanently attached inside and outside release handles. Outside release handle must be non-hitchable.

Rear exit shall hinge on right; open outwards; have a 24 inch or more clear horizontal opening and 45 inch or more clear vertical opening above floor. Glazing shall be installed in upper and lower portions. Door and rubber seal must not be defective. (See Arms and Locks in this subsection for requirements.)

Exception: Buses manufactured before September 1974 are exempt from glazing in lower portion of rear emergency door.

REJECT VEHICLE IF:

Inside release mechanism is not protected. Inside and outside release mechanisms are not accessible or do not operate properly. Outside release mechanism is hitchable. Door does not open easily. Location of hinge is incorrect. Size of opening is incorrect. Glazing does not meet requirements. General condition of door and/or rubber seal ~~trubber-and-seat†~~ is defective **poor.**

PROCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

When the emergency door is located on the left side, a rear emergency window shall be provided. Minimum 16 inches high and 48 inches wide. Designed to be opened from the inside or the outside. Hinged on top, designed and operated to insure against accidental closing in an emergency. Inside handle shall provide for quick release. Outside handle shall be nondetachable and nonhitchable. (See Alarms and Locks in this subsection for requirements.)

Optional emergency windows are allowed. They must be labelled "Emergency Exit" in letters at least two inches high, of a color that contrasts with its background, located at the top of or directly above the window on the inside surface of the bus.

REJECT VEHICLE IF:

If equipped, operating operating mechanisms do not function. Glass is cracked or broken.

4) Alarms and Locks

PROCEDURES/SPECIFICATIONS:

Audible-and-visual-alarms-shall-alert-driver when-engine-is-running-and-any-required emergency-exit-or-optional-emergency-exit door-either:

- 1) Is-not-fully-latched,or
- 2) Is-locked-and-not-readily-operated-manually.

Optional-emergency-exit-windows-must-be equipped-with-an-audible-alarm-which-is activated-when-the-above-criteria-is-met-

Both audible and visible alarms shall alert the driver when engine is running and any emergency exit door either:

- A) Is not fully latched, or
- B) Is locked and not readily operated manually.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

An audible alarm shall alert the driver when engine is running and any emergency exit window either:

- A) Is not fully latched, or
- B) Is locked and not readily operated manually.

The engine starting system shall not operate while any emergency exit door or window (optional or required) is locked from either inside or outside the bus.

"Locked" means that the release mechanism cannot be activated and the exit opened by a person at the exit without a special device such as a key or special information such as a combination.

Alarm cut-off or "squench" control is prohibited.

Exception: No alarm is required for roof hatches.

Exception: On a bus with chassis (incomplete vehicle) manufactured in March 1977 or earlier, the "not fully latched" alarm may only be audible to the seated driver. The engine starting system may operate while the emergency door is locked.

REJECT VEHICLE IF:

Alarms do not alert driver as required. Locks do not meet requirements.

c) ENTRANCE DOOR

- 1) Physical Requirements

PROCEDURES/SPECIFICATIONS:

Minimum 24 inch horizontal opening. Minimum 68 inch vertical opening. Jack-knife or split type door required on buses purchased after September 1974. If split type door is used and one section opens inward and the other outward, front section shall open

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

outward. Door shall be located on the right side near the front convenient to the seated driver's unobstructed vision. Entrance door shall be power or manually operated from the driver's seat and designed to afford easy release and prevent accidental opening. No parts of the over center door control shall come together so as to shear or crush fingers. The over center door control must operate properly and must not bind or jam. Vertical closing edges shall be equipped with flexible material for a proper seal and to prevent injury. Lower and upper panels of door shall be of safety glass or equivalent. Bottom of lower panel shall be not more than 35 inches from ground when unloaded. Top of upper glass panel shall be not more than 6 inches from top of door. No door is permitted to left of driver.

A service door equipped with power shall also be capable of manual operation in case of power failure.

Exception: All buses purchased prior to September 1974 are exempt from split type door. They may be split, sedan, or jack-knife type.

REJECT VEHICLE IF:

Binding or jamming is evident, malfunctions, over-ride device on power operated door does not function, control not accessible by driver.

Door is missing, loose, or damaged. Rubber seal is missing or torn.

2) Locks and Alarms

PROCEDURES/SPECIFICATIONS:

A service door lock is not required, but if any type of service door locking system is installed on the bus, the system shall conform to at least one of the following:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 1) The locking system shall not be capable of preventing the driver from easily and quickly opening the service door from inside the vehicle; or
- 2) A locking system that is capable of preventing the bus driver from easily and quickly opening the service door shall include an audiovisual alarm. The alarm shall be audible and visible and must alert the driver when the engine is running and the service door is locked. An alarm disconnect, "squelch control," or other alarm defeating or weakening device shall be prohibited; or -

- 3) A locking system shall not be capable of preventing the bus driver from easily and quickly opening the service door except when a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.

REJECT VEHICLE IF:

Locks and alarms do not meet requirements. Bent, worn, or dislocated parts that would delay quick door release and opening are present.

PROCEDURES/SPECIFICATIONS:

"Exhaust System" includes each component used to conduct gas from an engine exhaust port (manifold) to authorized exit point, including each sealing, connecting, and supporting component. Exhaust system shall be outside body and attached to chassis. Size of tail pipe ~~tail pipe~~ shall not be reduced after it leaves muffler. Any flexible component that contains exhaust gas shall be of stainless steel. System shall not leak. System shall have an outlet at its discharge end(s) only.

REJECT VEHICLE IF:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

All parts of system are not securely fastened and supported.

Any part of system is leaking or missing.

Any part of system contains holes not made by manufacturer.

2)17 Shielding

PROCEDURES/SPECIFICATIONS:

Any flammable material, electrical insulation, brake hose, or fuel system component containing fuel that is located within 11 13/16 inches (300 mm) of a component containing exhaust gas shall be safeguarded by a heat shield.

Exhaust system shall be shielded from either accidental contact, "hitching to," or "standing on," except at discharge end. A chassis or body component may provide required shield.

Exception: Fuel system components on diesel powered engines that are located within four inches of a component containing exhaust gas shall be shielded.

REJECT VEHICLE IF:

Shielding is not present (if applicable).

32) Discharge

PROCEDURES/SPECIFICATIONS:

The exhaust system's discharge end (tail pipe tailpipe) shall be within .98 inch (25 mm) of bus side, rear, or rear corner. It must not extend past a side-sub-rail or more than one inch past the bumper. Exhaust fumes gas shall not be directed towards a door or other opening into bus body. In addition, the discharge end, or ends, shall not be located in any prohibited zone shown in Illustration B.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

REJECT VEHICLE IF:

All parts of system are not securely fastened and supported.

Any part is leaking, missing, or patched.

Any part contains holes not made by manufacturer. Exhaust discharges into prohibited zones (see Illustration B).

Exhaust system (tail pipe) does not discharge in proper location.

Tail pipe extends more than one inch past the bumper.

Exhaust fumes are released towards a door or other opening into bus body.

e) FENDERS

PROCEDURES/SPECIFICATIONS:

Shall be properly braced and free from any body attachment.

There shall be approximately one inch located between front fenders and back face to cowl.

REJECT VEHICLE IF:

Fenders are not solid or in bad condition.

Sharp edges are evident.

Fenders are loose or protrude out.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX E Filter, Oil Through Frame and Body**a) FILTER, OIL**PROCEDURES/SPECIFICATIONS:

Replaceable element or cartridge type.
Minimum one-quart capacity.

REJECT VEHICLE IF:

Oil filter leaks or does not meet requirements.

**b) FIRE
EXTINGUISHER**PROCEDURES/SPECIFICATIONS:

Pressurized dry-chemical gauge type approved by Underwriters' Laboratories, Inc., rating of not less than 10 B.C. mounted in bracket and readily accessible. Sealed with a type of seal that will not interfere with operation. If stored in locked compartment, compartment must be labelled. Halon fire extinguishers (10 B.C.) are approved.

REJECT VEHICLE IF:

Gauge does not indicate in the calibrated or marked "Full Charge" area. Seal is broken. Extinguisher is not mounted, not in a quick release holder or not labelled in compartment, if applicable. Improper rating. Missing.

c) FIRST AID KITPROCEDURES/SPECIFICATIONS:

Kit shall be readily identifiable, removable, and mounted in readily accessible place in driver's compartment -- either in full view or in specified secured compartment (see LOCKED COMPARTMENT). If not carried in compartment, the case shall be dust tight and substantially constructed of durable material. The contents shall include, but not be limited to, the following:

**d) FLOORS AND
FLOOR
COVERING**PROCEDURES/SPECIFICATIONS:

Covering in underseat area, including tops of wheel housings, driver's compartment, interior engine cover, and toeboard shall be covered with fire-resistant floor covering of type commonly used in passenger transportation equipment. The floor covering in the aisle and entrance area shall be a nonskid, wear-resistant,

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Unit Type (Minimum Contents)

4" bandage compress - 2 packages (May be 1 package in bus with chassis [incomplete vehicle] manufactured in March 1977 or earlier.)

2" bandage compress - 2 packages (May be 1 package in bus with chassis [incomplete vehicle] manufactured in March 1977 or earlier.)

1" bandage or adhesive compress - 1 package

40" triangle bandage with two safety pins - 1

Splint, wire or wood - 1

A tourniquet or any type of ointment, antiseptic, or other medicine shall not be included.

OSHA approved blood-borne pathogen kits are permitted.

REJECT VEHICLE IF:

Kit is not complete. Dust or other visible dirt is present inside case. Minimum number of individual packages are not sealed. Medicine or tourniquet is present. Locked compartment containing kit is not labelled. Not mounted in readily accessible location. Missing.

AGENCY NOTE:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

and fire-resistant, ~~and rib-type~~ commonly used in commercial passenger transportation vehicles. Covering and metal floor stripping must be permanently bonded to floor and must not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof. All seams must be sealed with waterproof sealer.

All openings in floorboard or firewall between chassis and passenger-carrying compartment must be solid and sealed.

Boots and seals around shift levers, ~~and~~ emergency brakes ~~and interior engine covers~~ must be secure and solidly attached.

REJECT VEHICLE IF:

Abnormal wear and obstructions are present. Holes or openings are present in floors, floor covering, or boots. Metal floor stripping is not securely attached or broken. Interior engine cover is not fastened securely. Floor or floor covering does not meet requirements.

e) FRAME AND BODY

PROCEDURES/SPECIFICATIONS:

Visually inspect:

- 1) Body mounts shall be attached and sealed to the chassis cowl so as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.
- 2) Cross members and mounting bolts.
- 3) Engine mounting bolts.
- 4) Frame shall extend to rear of body cross member.
- 5) Frame extension is permitted when alterations are behind rear hanger or rear springs and not for the purpose of

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

extending wheel base.

- 6) Collision damage which is detrimental to the safe operation of the vehicle.

REJECT VEHICLE IF:

- 1) Cracked, loose, missing bolts. Any repair done by welding body to frame, insulation strip missing.
- 2) Loose, cracked, broken or missing.
- 3) Missing, loose.
- 4) Cracked, broken, bent, rusted to a depth as to substantially weaken frame - welding except by body manufacturer.
- 5) Unless permitted, frame extends past wheel base.
- 6) Collision damage which is detrimental to the safe operation of the vehicle.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX F Fuel Storage and Delivery System Through Horn**a) FUEL STORAGE
AND DELIVERY
SYSTEM**PROCEDURES/SPECIFICATIONS:

Entire fuel system, except extensions for driver control of air or fuel, must be outside passenger and driver compartment.

REJECT VEHICLE IF:

Any part of fuel system, except extensions for driver control of air or fuel, is within passenger/driver compartment.

**1) Fuel Filler
Cap**PROCEDURES/SPECIFICATIONS:

Meets manufacturer's specifications. Must be the same as or equivalent to original equipment.

REJECT VEHICLE IF:

Fuel filler cap is defective or missing.

2) Fuel LinesPROCEDURES/SPECIFICATIONS:

Firmly attached. No leakage, seepage, abrasion, or chafing. Must be 11 13/16 inches (300 mm) from any part of exhaust system that contains exhaust gas or be safeguarded by a heat shield. Inside engine compartment, the chassis manufacturer's standard shall govern separation and shielding between parts designed by chassis manufacturer.

Exception: Fuel system components on diesel powered engines that are located within four inches of a component containing exhaust gas must be shielded.

REJECT VEHICLE IF:

Fuel lines are cracked, leaking, insecure mounting, damaged, clamps missing, mount

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

clips missing or not separated or not shielded properly (if applicable).

**3) Fuel Filler
Tube**PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel filler tube leaks or is not secure.

4) Fuel PumpPROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel pump leaks, is damaged or is not secure.

**5) Fuel
Tank(s)**PROCEDURES/SPECIFICATIONS:

Tank must be safeguarded by structure that protects from side or angular impact blows. (49 CFR 571.301)

Exception: A bus with chassis (incomplete vehicle) manufactured in March 1977 or earlier is exempt from being equipped with a tank guard structure.

REJECT VEHICLE IF:

Fuel tank(s) have leakage, seepage, or abrasion; hole or crack that would leak or seep when tank is full.

**6) Fuel tank
mount(s)**PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel tank mount(s) are cracked, loose, or bolts are missing.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

PROCEDURES/SPECIFICATIONS:

7) Fuel tank straps

Check condition.

REJECT VEHICLE IF:

Fuel tank straps are cracked, loose, or missing.

8) Alternate Fuel Systems (LPG or CNG)

An alternate fuel system which is no longer in use must be completely removed from the vehicle.

A) Carburetion Equipment

A fuel filter is required on alternate fuel systems.

B) Container Installation

- i) Compressed or liquefied gas containers shall not be mounted in the passenger or driver's compartment.
- ii) Container valves, appurtenances and connections shall be mounted in an enclosed compartment.
- iii) Containers shall be located at least 36 inches from the entrance door and any emergency exit. Due to the smaller size of Type II school buses, space limitations may sometimes make it impossible to locate a fuel tank further than 36 inches from an exit. A Type II school bus has a gross vehicle weight rating of 10,000 pounds or less as defined in Section 12-800 of the Illinois Vehicle Equipment Law [625 ILCS 5/12-800]. If the original fuel tank for a Type II bus was located within 36 inches from any exit, the alternate fuel container may be located

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

in the same location as the original tank.

C) Identification

The fuel identification decal (see Section 441.1 Illustration D E) shall be displayed near the rear bumper and visible from the rear of the vehicle
~~on-the-rear-of-the-school-bus~~
~~not-more-than-12-inches-above-the~~
~~top-of-the-rear-bumper-and-within-39~~
~~inches-of-the-left-side.~~ The decal shall not be placed on any black portion of the bus body.

D) Pipe and Hose Installation

- i) No fuel supply line shall pass through the driver or passenger's compartment.
- ii) The pressure relief device shall be fabricated so that in the event of stress, the pipe or adaptor will break away without impairing the function of the relief valve.
- iii) If installed, the adaptor connecting the piping system to the pressure relief device shall neither touch nor restrict any movable part of the pressure relief valve.
- iv) The relief valve discharge piping system (piping system) must not be reduced at any point from the relief valve to the point of release into the atmosphere.
- v) The piping system shall be routed to minimize sharp elbows or bends. Installation of any commercially available piping installed to meet the manufacturer's specifications is acceptable. Any fittings that restrict the flow of discharge are prohibited. From the pressure relief device adaptor to the atmosphere, the

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- minimum inside diameter of the piping must measure at least 3/4 of an inch.
- vi) The piping system shall neither block nor hamper the operation of any window or door. The piping system shall preserve widths of passageways, aisles and emergency exits.
- vii) Every portion of the piping system shall be gas tight (except the outlet) and shall be able to withstand forces from the discharge when the relief valve is in full open position. If for any reason the discharge outlet becomes blocked, the piping system must be capable of holding the full system pressure.
- viii) To facilitate the removal of accumulated water, a drain cock shall be installed at the lowest point of the piping system. The drain must be capable of being held open manually and close automatically to prevent expelling LPG if discharged through the relief valve. A weep hole, or other opening that may result in discharged LPG flaming beneath the bus is prohibited.
- ix) The portion of the piping system that leads upward to the atmosphere shall be installed either inside the passenger compartment, on the outside of the bus, or in the body wall between the inner and outer "skins" of the bus body.
- x) Piping on the outside of the body shall be shielded below the window line to prevent "grabbing hold" or "hitching to." However, discharge piping that is located between the windshield and the vent window at the left front corner of the body need not be shielded.
- xi) Any portion of the piping system that is installed either inside the passenger

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- compartment or inside the body wall shall consist of one piece originating below the bus floor and exiting outside the bus roof. Every hole where piping passes through the floor or roof shall be sealed.
- xii) The piping system must terminate above the eave lines of the bus body.
- xiii) The outlet of the piping system shall be located at least 36 inches from the air inlet or outlet of a ventilator or similar device installed on or near the roof. A "similar device" includes the fresh air intake of a heating, ventilating or air conditioning system. It does not include a side window that opens near the roof.
- xiv) A rain cap is required where the piping system exits into the atmosphere to minimize water or dirt from entering into either the relief valve or its discharge piping. Installation of any commercially available rain cap installed to meet the manufacturer's specifications is acceptable. The cap shall remain in place except when the relief valve operates. The cap shall be installed to minimize the entrance of water or dirt while the vehicle is in motion.
- xv) The discharge piping system on a special education school bus shall conform to all provisions of this Part.
- REJECT VEHICLE IF:
- Alternate fuel system does not meet requirements listed above.

b) GRAB HANDLES

- 1) Exterior

POCEDURES/SPECIFICATIONS:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

At least one step grab handle shall be located on each side at front of body so as to provide easy access to windshield.

REJECT VEHICLE IF:

Exterior grab handles are missing or loose.

2) Interior

PROCEDURES/SPECIFICATIONS:

Stainless clad steel with measurements not less than 10 inches long located in unobstructed location inside doorway.

As instructed by an officer of the Department, draw a 1/2 inch hexagon nut attached to a string through the junction where the grab handle attaches to the lower stepwell.

REJECT VEHICLE IF:

Interior grab handles are missing or are not solidly attached.

Nut becomes lodged on the grab handle.
(Retrofit kit is required.)

c) HEATERS

PROCEDURES/SPECIFICATIONS:

Nameplate must identify manufacturer and heater rating capacity. Must be capable of maintaining inside temperature of 50 degrees. The heater hoses shall be supported to guard against excessive wear due to vibration and shall not interfere with or restrict the operation of any engine function. Any hose in the passenger compartment shall be protected to prevent injury from burns in the event of rupture. If heater is not protected by a seat, it must be padded.

REJECT VEHICLE IF:

Heater is missing; in poor working condition;

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

defective hoses, supports or baffles; not firmly attached or not padded when required.

d) HOOD

PROCEDURES/SPECIFICATIONS:

Open hood and inspect safety catch and hinges for proper operation. Close hood and inspect for proper full closure. Manually inspect latches or remote control for proper operation.

REJECT VEHICLE IF:

Hood does not open or hood latches do not securely hold hood in its proper fully-closed position. Secondary or safety catch does not function properly. Hinge is broken, missing, or not attached to body.

e) HORN

PROCEDURES/SPECIFICATIONS:

At least one horn shall be provided giving an audible warning at a distance of 200 feet and shall be conveniently controlled from the operator's seated position. (Section 12-601 of the Illinois Vehicle Equipment Law)

REJECT VEHICLE IF:

Horn control is missing, defective or not audible.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX C Instruments and Instrument Panel Through Locked
Compartment

a) INSTRUMENTS
AND INSTRUMENT
PANEL

PROCEDURES/SPECIFICATIONS:

Shall be equipped with the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver. An indicator light instead of a pressure or temperature gauge is permissible ~~permissible~~. [49 CFR 571.101]

- 1) Speedometer;
- 2) Odometer;
- 3) Fuel Gauge;
- 4) Oil Pressure Gauge;
- 5) Water Temperature Gauge;
- 6) Ammeter (voltmeter) with graduated charge and discharge indications;
- 7) High beam headlight indicator;
- 8) Directional signal indicator;
- 9) Air pressure or vacuum gauge (when air or vacuum brakes are used);
- 10) Right light flasher indicator.;
- 11) Emergency/service brake indicator.

REJECT VEHICLE IF:

Instruments or instrument panel do not operate properly; instruments are missing; inaccurate readings.

b) INSULATION

PROCEDURES/SPECIFICATIONS:

The ceiling and sidewalls shall be thermally insulated with a fire-resistant material which shall reduce the noise level and vibrations.

REJECT VEHICLE IF:

Insulation does not meet requirements.

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

c) LETTERING

1) Exterior

PROCEDURES/SPECIFICATIONS:

The body and chassis manufacturer's name, emblem, or other identification may be displayed (colorless or any color) on any unglazed surface of the bus.

AGENCY NOTE: School buses with interstate authority may display the company's name, city and state of its base and the interstate "MC" number. This lettering must be black in color.

REJECT VEHICLE IF:

Exterior lettering does not meet requirements. Lettering or decals are not distinct, required or allowed. Lettering is obstructed.

A) Front

PROCEDURES/SPECIFICATIONS:

"SCHOOL BUS" in black at least eight inches (200 mm) high placed as high as possible on body or sign attached thereto. Vehicle number assigned for identification shall be a minimum of four inches (100 mm) high and located as high as practicable. Decals are permissible. All lettering must be black. (Section 12-802 of the Illinois Vehicle Equipment Law)

REJECT VEHICLE IF:

Lettering does not meet requirements. Lettering is not distinct, required or allowed. Lettering is obstructed.

B) Left

PROCEDURES/SPECIFICATIONS:

Either the owner's name or the school district number or both must be at least four inches high, approximately centered and as high as practicable below window line. (Section 12-802 of the Illinois Vehicle

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Equipment Law) The above required lettering must be located on one line.

If the bus is equipped with a side emergency door, it must be labelled "EMERGENCY EXIT" in letters at least two inches high directly at the top of the emergency door, or directly above, or on door glazing.

Optional: Vehicle number assigned for identification may be displayed at a minimum height of four inches (100 mm).

Decals are permissible. All lettering must be black.

For buses manufactured on or after May 2, 1994, "EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labelling must be of a color that contrasts with its background. (49 CFR 571.217)
†57-FR-494137-November-27-1992†

REJECT VEHICLE IF:

Lettering does not meet requirements.
Lettering is not distinct, required, or allowed. Lettering is obstructed.

C) Rear

PROCEDURES/SPECIFICATIONS:

"SCHOOL BUS" in black lettering at least eight inches (200 mm) high placed as high as possible on body or sign attached thereto. (Section 12-802 of the Illinois Vehicle Equipment Law) "EMERGENCY DOOR" or "EMERGENCY EXIT" in lettering at least two inches high at top of emergency door, or directly above, or on door glazing.

"EMERGENCY EXIT" (for buses without rear

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

emergency door) in letters at least two inches high directly below rear emergency window, or on exit glazing. An arrow, at least 5.9 inches in length and 3/4 inch in width indicating direction each release mechanism should be turned to open door or window located within 5.9 inches of release handle, in black. Vehicle number assigned for identification shall be a minimum 4 inches (100 mm) high. Decals are permissible. All lettering must be black.

If bus uses alternate fuel (e.g., propane, CNG), vehicle must be marked with identifying decal. Such decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least 1/4 inch wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of vehicle. (See see Appendix F 6 (a)(8)) and Section 441. Illustration D.) (Section 12-704.3 of the Illinois Vehicle Equipment Law)

For buses manufactured on or after May 2, 1994, "EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labelling must be of a color that contrasts with its background. (49 CFR 571.217)
†57-FR-494137-November-27-1992†

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

REJECT VEHICLE IF:

Lettering does not meet requirements.
Lettering or arrows are not distinct,
required, or allowed. Lettering is
obstructed.

Buses using alternate fuels are not properly
marked with decal. Decal is in wrong location.

D) Right

PROCEDURES/SPECIFICATIONS:

*Either the owner's name or the school district
number or both must be at least four
inches (100 mm) high, approximately centered
and as high as possible below window line.
(Section 12-802 of the Illinois Vehicle
Equipment Law) The above required lettering
must be located on one line.*

The following lettering must be at least two
inches (50 mm) high:

1) *The word "CAPACITY," or abbreviation
"CAP.," and the rated passenger capacity
followed by the word "PASSENGERS,"
or the abbreviation "PASS.," shall be
displayed on the outside of the body
near the rear edge of the service
entrance.*

2) *Empty weight in pounds must be shown.
Empty weight is indicated by "EW."
(Section 12-802 of the Illinois Vehicle
Equipment Law)*

Manufacturer's identification name or emblem
may be displayed, but not on service door
glazing. Manufacturer's name or emblem must
not interfere with required lettering.
Decals are permissible. All lettering must
be black.

*Optional route identification markers (numbers
or symbols) are allowed; they must be
located in either the first window or on the
bus body directly behind the service entrance*

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

~~door. Route markers affixed to the bus body
must meet paint requirements and must not
obstruct any required lettering.~~

For buses manufactured on or after May 2,
1994, "EMERGENCY DOOR" in letters at least
1.95 inches (5 cm) high must be located at
the top of, or directly above, any emergency
exit door. For any emergency window exit
"EMERGENCY EXIT" must be located at the top
of, or directly above, or at the bottom of the
emergency window exit in letters at least
1.95 inches (5 cm) high. The labelling
must be of a color that contrasts with its
background. (49 CFR 571.217)
~~{57-PR-49413, November-27-1992}~~

REJECT VEHICLE IF:

Lettering does not meet requirements.
Lettering or decals are not distinct,
required, or allowed. Lettering is
obstructed.

PROCEDURES/SPECIFICATIONS:

Each letter or numeral must be at least two
inches (50 mm) high and contrasting sharply
with its background. A colorless background strip
(such as white, aluminum or silver) may
be used. Decals are permitted.

On right side: Either "CAPACITY" or "CAP."
plus numerals showing rated passenger
capacity, followed by either "PASSENGER" or
"PASS."

As nearly as practicable opposite the center
of aisle, but to right of inside mirror,
either "NO STANDEES" or "NO STANDEES
PERMITTED."

The vehicle's length (rounded up to nearest
whole foot) shall be displayed on the
bulkhead clearly within the driver's view.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

(For example: vehicle length of 39.1 feet will be displayed as 40 feet.)

A red cross formed of five equal squares with words "FIRST-AID KIT" shall be displayed on the compartment door, or cover, if the first-aid kit is to be carried in the locked compartment.

The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.

Exception: On a bus with chassis (incomplete vehicle) manufactured in March 1977 or earlier, "NO STANDEES" need not be opposite center of aisle and the word "PASSENGERS," or "PASS," is optional.

REJECT VEHICLE IF:

Lettering does not meet requirements. Lettering is not distinct, required or allowed. Lettering is obstructed.

After January 1, 1999, vehicle length is not displayed properly or is absent.

B) Left

PROCEDURES/SPECIFICATIONS:

A "Stop Line" in contrasting color is required between 5.9 and 6.1 inches below the top of the window opening. The line shall be located between each window that slides downward.

If bus is equipped with a side emergency door or emergency windows which are knock-out type, they are to be labelled "EMERGENCY EXIT" in letters at least two inches high directly below window.

An arrow indicating the direction in which to move release mechanism handle(s) to open emergency exit and operating instructions shall be painted or permanently affixed

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

within six inches of each release handle.

For buses manufactured on or after May 2, 1994, "EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labelling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the door must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (49 CFR 571.217) ~~†57-PR-494†37-November-27-1992†~~

REJECT VEHICLE IF:

Lettering does not meet requirements. Line or line and lettering is not distinct, required, or allowed. Lettering is obstructed.

C) Rear

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" or "EMERGENCY EXIT" in letters at least two inches (50 mm) high painted or permanently affixed either directly above each emergency exit, or on top metal of exit (door or window), or on top of exit glazing. An arrow indicating the direction in which to move release mechanism handle(s) to open emergency exit and operating instructions shall be painted or permanently affixed within six inches of each release handle. All lettering and arrow(s) must contrast with background. Decals are permitted.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

For buses manufactured on or after May 2, 1994, "EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labelling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the door must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (49 CFR 571.217) (57-PR-49413--November-27--1992)

REJECT VEHICLE IF:

Lettering does not meet requirements.
Lettering is not distinct, required, or allowed. Lettering is obstructed.

D) Right

PROCEDURES/SPECIFICATIONS:

A "Stop Line" in contrasting color is required between 5.9 and 6.1 inches below the top of the window opening. The line shall be located between each window that slides downward. Decals are permitted.

If emergency window is installed, "EMERGENCY EXIT" shall be displayed on or immediately below emergency window.

Instructions for emergency operation of a power operated door shall be affixed permanently on the inside of the door in letters at least .5 (one half) inch high. Decals are permitted.

Optional route identification markers (numbers or symbols) are allowed. They must be located in ~~either~~ the first window ~~or-on-the~~ **bus-body** directly behind the service entrance

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

door. If route identification markers are installed in permanent holder or bracket, the holder or bracket must have rounded edges or be padded.

For buses manufactured on or after May 2, 1994, "EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any side emergency door. For any emergency window exit "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, or at the bottom of the emergency window exit. The labelling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (49 CFR 571.217) (57-PR-49413--November-27--1992)

REJECT VEHICLE IF:

Right interior lettering does not meet requirements. Line or line and lettering is not distinct, required, or allowed. Lettering is obstructed.

E) Ceiling

PROCEDURES/SPECIFICATIONS

For buses manufactured on or after May 2, 1994, any roof exit must be labelled "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high, of a color that contrasts with its background. The labelling must be located on an inside surface of the exit, or within 11.7 inches (30 cm) of the roof exit opening. Concise operating instructions describing the motions necessary to unlatch and open the emergency exit shall be located within 5.85 inches (15 cm) of the release mechanism. These instructions shall be in letters at least .39 inches (1 cm) high and

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

of a color that contrasts with its background.
(49 CFR 571.217) (57-PR-49413, November-27-1992)

REJECT VEHICLE IF:

Lettering does not meet requirements.

d) LIGHTS

1) Back Up

PROCEDURES/SPECIFICATIONS:

Two white lights shall be provided. Must meet federal standards. (49 CFR 571.108)

Exception: All buses purchased prior to September 1974 are exempt; however, for any unit equipped with back up lamps, they must be operational.

REJECT VEHICLE IF:

Back-up lights do not function; illegal color; broken lens.

2) Clearance,
FrontPROCEDURES/SPECIFICATIONS:

Two clearance lights (amber) at highest and widest portions of the body. Must conform to federal standards. (49 CFR 571.108) May be combined with side marker lamp.

REJECT VEHICLE IF:

Front clearance lights do not function; improper color; broken lens.

3) Clearance,
RearPROCEDURES/SPECIFICATIONS:

Two clearance lights (red) mounted at highest and widest parts of body. Must conform to federal standards. (49 CFR 571.108)

REJECT VEHICLE IF:

Rear clearance lights do not function;

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

improper color; broken lens.

4) Identification,
FrontPROCEDURES/SPECIFICATIONS:

Three amber lights mounted at center front near top of body above "SCHOOL BUS" sign. Must conform to federal standards. (49 CFR 571.108)

REJECT VEHICLE IF:

Front cluster lights do not function properly; improper color; broken lens.

5) Identification,
RearPROCEDURES/SPECIFICATIONS:

Three red lights mounted at center rear near top of body either above or below "SCHOOL BUS" sign. Must conform to federal standards. (49 CFR 571.108)

REJECT VEHICLE IF:

Rear cluster lights do not function properly; improper color; broken lens.

6) Flashing
LightsPROCEDURES/SPECIFICATIONS:

All school buses purchased after December-31-1975, shall be equipped with an eight light flashing signal system with two red and two amber flashing signal lamps mounted above windshield spaced no less than three feet apart and at same horizontal level. The rear of the vehicle shall be equipped with two red and two amber flashing signal lamps mounted and spaced no less than three feet apart and at same horizontal level. Minimum diameter 5 1/2 inch sealed beam.

Effective December-31-1970, all school buses shall be equipped with the eight-light flashing signal system described in the above paragraph. (Section 12-805 of the Illinois Vehicle Equipment Law) The red

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

lights must be located on the outside perimeters of the bus and the yellow lights must be located between the red lights and towards the center.

A separate circuit breaker and a master switch shall be provided for this signal system. When in its "off" position this master switch shall prevent the following:

- 1) Operation of the 8 lamp system;
- 2) Operation of any lamps mounted on the stop signal arm; and
- 3) Operation of any electrically controlled mechanism that would cause the stop signal arm to extend.

The controls for the eight lamp flashing signals, the stop signal arm and the service entrance door shall be arranged so as to provide for the following sequence of operations while the engine is running.

- 1) Place the alternately flashing signal system master switch in its "off" position. Close and secure the service entrance door. Actuate the alternately flashing signal system hand or foot control. The alternately flashing signal lamps of either yellow (amber) or red color shall not go on.
- 2) With the master switch "off" and the hand or foot control actuated, open the service door. The alternately flashing signals of either color shall not go on and the stop signal arm shall not extend.
- 3) Deactivate the hand or foot control. Place the alternately flashing signal system master switch in its "on" position. Close and secure the service door. Open the service door. The alternately flashing signal lamps of either color shall not go on and stop signal arm shall not extend.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 4) Close and secure the service door. Actuate the alternately flashing signal system by hand or foot control. A yellow pilot lamp in the view of the driver and the yellow alternately flashing signals shall go on.
- 5) Desecure but do not open the service door. The yellow pilot and the yellow alternately flashing signals shall go off. A red pilot lamp in the view of the driver and the red alternately flashing signals shall go on. The stop signal arm shall extend.
- 6) Fully open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- 7) Close but do not secure the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- 8) Open the service door. The red pilot and red signals shall remain on and the stop arm remain extended.
- 9) Close and secure the service door. The red pilot and red signals shall go off and the stop arm shall retract.
- 10) Open the service door. Alternately flashing signals of either color shall not go on and the stop arm shall not extend.

REJECT VEHICLE IF:

Flashing lights do not function properly; broken lens or improper lens color. Pilot lights do not function.

PROCEDURES/SPECIFICATIONS:

7) Headlights
Shall have at least two headlamps with at least one mounted on each side of the front of the bus. Lamp body must be securely attached.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Lenses, reflectors, bulbs, etc., must be in good condition, properly aimed and fill required intensity. Check for bulb burn out. Verify high and low beams are functioning. Shall conform to federal standards. [49 CFR 571.108]

REJECT VEHICLE IF:

Headlights do not meet requirements. High/Low beams do not function.

PROCEDURES/SPECIFICATIONS:

Adequate to illuminate aisles, step well, and emergency passageways.

REJECT VEHICLE IF:

Interior lights do not provide adequate lighting; cracked or broken lenses; improper color.

9) License Plate

PROCEDURES/SPECIFICATIONS:

Adequate white light to illuminate license plate. [49 CFR 571.108] May be combined with one of the tail lights.

REJECT VEHICLE IF:

License plate light does not provide adequate lighting; cracked or broken lenses; improper color.

10) Parking

Lights

PROCEDURES/SPECIFICATIONS:

Shall be one lamp on each side; white or amber color. [49 CFR 571.108]

All buses 80 or more inches in overall width which are equipped with side marker lamps, clearance lamps, and intermediate side marker lamps are exempt from having parking

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

lights. However, if vehicle is equipped with parking lights, they must be operational. (Section 12-202 of the Illinois Vehicle Equipment Law)

REJECT VEHICLE IF:

Parking lights do not meet requirements; improper color; cracked or broken lenses.

11) Sidemarker,
LeftPROCEDURES/SPECIFICATIONS:

Two lamps: One amber at front and one red at rear, mounted as high as practicable. Shall conform to federal standards. [49 CFR 571.108]

Exception: All buses purchased prior to September 1974 are exempt.

REJECT VEHICLE IF:

Left marker lights do not meet requirements; does not function properly; improper color; cracked or broken lenses.

12) Sidemarker,
RightPROCEDURES/SPECIFICATIONS:

Two lamps: One amber at front and one red at rear, mounted as high as practicable. Shall conform to federal standards. [49 CFR 571.108]

Exception: All buses purchased prior to September 1974 are exempt.

REJECT VEHICLE IF:

Right marker lights do not meet requirements; improper color; cracked or broken lenses.

13) Step Well

PROCEDURES/SPECIFICATIONS:

At least the nosings of the service entrance steps and the floor around the stepwell shall

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

be automatically illuminated with white light when the ignition is on and the service entrance door is open.

No lamp shall be installed so as to shine directly into the eyes of a pupil moving through the service entrance and looking at the service steps.

Exception: On a bus with chassis (incomplete vehicle) manufactured in March 1977 or earlier, a stepwell light that does not illuminate all the step nosings or does not illuminate the floor around the service entranceway may be used.

REJECT VEHICLE IF:

Step well light does not meet requirements; improper color; cracked or broken lenses.

14) Strobe

PROCEDURES/SPECIFICATIONS:

Two red lights mounted at same height and as high as practicable below window line. Seven inch minimum diameter or 19 square inches. Not less than three feet apart laterally. Must conform to federal standards. [49 CFR 571.108]

REJECT VEHICLE IF:

Stop lights do not meet requirements; improper color; cracked or broken lenses; do not function properly.

15) Strobe
(optional)PROCEDURES/SPECIFICATIONS:

If installed, lamp must comply with following requirements:

- 1) One per bus;
- 2) Shall emit white or bluish/white light;
- 3) Shall be visible from any direction;

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 4) Shall flash 60 to 120 times per minute;
- 5) Shall be visible in normal sunlight;

- 6) Mounted at or behind center of rooftop and equal distance from each side.
(Section 12-815 of the Illinois Vehicle Equipment Law)

Distance from rear will be calculated by measuring height of filament and multiplying same by 30 inches. (i.e., Filament height x 30 = distance from rear of bus where lamp is to be located)

REJECT VEHICLE IF:

If installed, strobe light does not meet installation requirements; does not function properly; improper color; cracked or broken lenses.

Shielding is present.

16) Tail

PROCEDURES/SPECIFICATIONS:

Two red lights mounted with centers not less than 40 inches nor more than 50 inches from surface on which vehicle stands. Must conform to federal standards. [49 CFR 571.108]

REJECT VEHICLE IF:

Tail lights do not meet requirements; do not function properly; improper color; cracked or broken lenses.

- 17) Turn
Signal,
Left
(armored)

PROCEDURES/SPECIFICATIONS:

"Armored" Flush-mounted "armored" type amber clearance lamp mounted behind driver's seat at seat level and rub rail height. Functions with regular turn signal.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Exception: All buses purchased prior to September 1974 are exempt from having left armored turn signals.

Exception: Buses with capacity rating of less than 33 passengers are exempt. Buses manufactured in August 1974 or earlier are exempt. Buses that measure less than 80 inches wide or 20 feet long are exempt.

REJECT VEHICLE IF:

Left turn signal light does not meet requirements; does not function properly; improper color; cracked or broken lenses.

18) Turn
Signal,
Right
(armored)

PROCEDURES/SPECIFICATIONS:

"Armored" Flush-mounted "armored" type amber clearance lamp mounted at approximately seat level and rub rail height just to rear of service door. Functions with regular turn signal lamps.

Exception: All buses purchased prior to September 1974 are exempt from having right armored turn signals.

Exception: Buses with capacity rating of less than 33 passengers are exempt. Buses manufactured in August 1974 or earlier are exempt. Buses that measure less than 80 inches wide or 20 feet long are exempt.

REJECT VEHICLE IF:

Right turn signal light does not meet requirements; does not function properly; improper color; cracked or broken lenses.

19) Turn
Signal,
Front

PROCEDURES/SPECIFICATIONS:

One amber lamp at least four inches in

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

diameter, or 12 1/2 square inches, located on each side at or near the front. They shall be located at the same height and as far apart as practicable. Lamps must conform to federal standards. [49 CFR 571.108]

Operate turn signals and four-way warning hazards to check performance of front and rear lights.

REJECT VEHICLE IF:

Front turn signal lights do not meet requirements; do not function properly; improper color; cracked or broken lenses.

Four-way warning hazards do not operate properly.

20) Turn
Signal,
Rear

PROCEDURES/SPECIFICATIONS:

Chassis manufactured after March 31, 1977, must have two 7 inch diameter, or 19 square inch, amber lenses mounted on the rear as far apart and as high as practicable below rear window. [49 CFR 571.108]

Exception: Chassis manufactured prior to April 1, 1977, may have yellow or red turn signals with arrow lenses. [49 CFR 571.108]

REJECT VEHICLE IF:

Rear turn signal lights do not meet requirements; improper color; do not function properly; cracked or broken lenses.

e) LOCKED
COMPARTMENT

PROCEDURES/SPECIFICATIONS:

Fire extinguisher, first-aid kit, and warning devices may be stored either in a closed, unlocked compartment or under lock and key, provided the locking device is connected with an automatic warning signal that will alert driver when compartment is locked. The

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

automatic alarm shall be both audible and visible to the seated driver. The alarm shall alert the driver when the engine is running and the compartment is locked and cannot be readily opened without using a tool, key, or combination. An alarm cut-off or "squeeze" control is prohibited.

Each safety item inside the compartment shall be named on the outside of the compartment cover, or door. In addition, a RED CROSS formed of five equal squares shall be displayed on the cover when the first aid kit is inside the compartment.

Exception: A bus with chassis manufactured in March 1977 or earlier need not have a visible alarm.

REJECT VEHICLE IF:

Locked compartment is not readily accessible to driver; lettering or identification missing; alarm does not function properly when compartment is locked and vehicle is running.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX H Mirrors Through Rub Rails**a) MIRRORS**PROCEDURES/SPECIFICATIONS:

Every required mirror shall be of reflecting material protected from abrasion, scratching, and corrosion. Mirror shall be firmly installed on stable supports so as to give a clear, stable, reflected view.

Mirrors must meet all requirements of 49 CFR 571.111 to provide the required field of view. Mirrors shall be adjustable-so-as-to-give-and-maintain its-required-field-of-view.

Convex crossover mirrors can be combined with either the right or left side safety mirrors provided the convex mirror meets the field of view and size requirements established in this subsection or in 49 CFR 571.111.

REJECT VEHICLE IF:

Mirrors do not meet requirements; defective; excessively clouded; ~~not-adjustable~~ not securely attached; cracked or broken glass.

1) Exterior**A) Rear View
Driving**PROCEDURES/SPECIFICATIONS:

Shall be mounted outside on the left and right sides of the bus. Must give seated driver a view to the rear along each side of the bus. Must be at least 50 square inches of usable flat rectangular reflecting surface on each side. (49 CFR 571.111)

If the rear view driving mirror does not provide the required field of view, a convex driving mirror must be installed to expand the driving view to the rear. However, the usable flat reflecting surface must be rectangular and must maintain at least 50 square inches.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

REJECT VEHICLE IF:

Rear view driving mirror does not meet requirements; defective; excessively clouded; not adjustable; not securely attached; cracked or broken glass.

B) Right
Side
Safety

PROCEDURES/SPECIFICATIONS:

An outside convex mirror, either alone or in combination with the crossover mirror system, shall give the seated driver a view of the roadway along the right side of the bus between the most forward surface of the right front tire and the rear of the rear bumper. The projected reflecting surface of this convex mirror shall be at least 40 square inches (7 1/8 inches diameter if a circle).

Extra-wide-angle convex mirror heads are permissible on right front corner only.

Exception: A right safety mirror is optional on a bus manufactured in August 1974 or earlier.

REJECT VEHICLE IF:

Right side safety mirror does not meet requirements; defective; excessively clouded; ~~not-adjustable~~; not securely attached; cracked or broken glass.

C) Left Side
Safety
(Optional)

PROCEDURES/SPECIFICATIONS:

A convex mirror is required if the left rear view driving mirror system does not give the seated driver a reflected view of the roadway along the left side of the bus between the front edge of the driver's seat (in most forward position) and the rear of the rear

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

bumper. The convex mirror shall be installed so that either alone or in combination with the rear view driving mirror gives the seated driver the proper view.

Exception: A left safety mirror is optional on a bus with chassis manufactured in March 1977 or earlier.

REJECT VEHICLE IF:

Left side safety mirror does not meet requirements; defective; excessively clouded; ~~not-adjustable~~; not securely attached; cracked or broken glass.

D) Crossover

PROCEDURES/SPECIFICATIONS:

An outside convex mirror shall give the seated driver a view of the front bumper and the area of roadway in front of the bus. The projected reflecting surface of this mirror shall be at least 40 square inches (7 1/8 inch diameter if a circle). [49 CFR 571.111]

Exception: If the seated driver of a forward control bus has a direct view of the front bumper and the area of roadway in front of the bus, a crossover mirror is optional.

REJECT VEHICLE IF:

Crossover mirror does not meet requirements; defective; excessively clouded; not adjustable; not securely attached; cracked or broken glass.

2) Interior

PROCEDURES/SPECIFICATIONS:

Clear view safety glass mirror, minimum 6 inches x 30 inches overall; framed with rounded and padded corners and edges. It shall afford

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

good view of the bus interior and portions of the roadway to the rear.

Exception: All buses manufactured prior to September 1974 are exempt from padding on the mirror.

REJECT VEHICLE IF:

Interior mirror does not meet requirements; defective; excessively clouded; not adjustable; not securely attached; cracked or broken glass.

b) PAINT REQUIREMENTS

PROCEDURES/SPECIFICATIONS:

The exterior of the body, excluding the required rails, shall be painted a uniform color, National School Bus Glossy Yellow. The front and rear bumpers, required rub rails and wheels shall be black. Additional rub rails may either be painted black or yellow. Grilles and hub caps may be a bright finish (e.g., chrome, anodized aluminum, etc.). Retaining rings may be gray or aluminum.

Manufacturer's name or emblem may be any color but must not interfere with required lettering, numbering, or arrows. Roofs may be white. (Section 12-801 of the Illinois Vehicle Equipment Law)

For buses manufactured on or after May 2, 1994, each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm.) wide yellow retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus. Required yellow retroreflective tape can be located on the rear bumper provided the space between the top of the bumper and bottom of the door is not adequate to accommodate the tape. (49 CFR 571.217) (57-PR-494137)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

November-27-1992+

Optional: A white roof may extend only to within 6 inches above the drip rails on the sides of the body. The front and rear roof caps shall remain National School Bus Glossy Yellow.

Optional: Black areas around flashers are permitted, but must not interfere with "SCHOOL BUS" lettering.

Optional: ReflectORIZED tape is permitted provided it reflects the same color that it is applied to and is not located on any bumper unless the bus was manufactured on or after May 2, 1994 (see paragraph above).

Exception: *Fenders on buses manufactured prior to January 1976 may be painted black. (Section 12-801 of the Illinois Vehicle Equipment Law)*

Exception: Hoods may be lusterless black or lusterless school bus yellow.

REJECT VEHICLE IF:

Paint does not meet color requirements or is in poor condition (i.e., faded, peeling or rusted).

Optional black area around flashers interferes with required lettering.

Required or optional ~~Optional~~ reflectORIZED tape does not meet color requirements ~~or is located on the bumper.~~

c) PROJECTIONS

1) Exterior

PROCEDURE/SPECIFICATIONS:

Entire rear and bumper area of bus must be nonhitchable.

"Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping rear of bus

AGENCY NOTE:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

so as to "hitch" rides.

REJECT VEHICLE IF:

Projections do not comply with nonhitchable requirements.

2) Interior

PROCEDURES/SPECIFICATIONS:

Interior shall be free of all dangerous projections.

Optional equipment (e.g., video camera) that is located in the bulkhead area of the bus and not flush with the interior walls must meet the following requirements:

- 1) Must not interfere with occupants entering or exiting the bus.
- 2) Must not be located in driver's head impact zone.
- 3) Must not obstruct required lettering.

Additional projections (e.g., external speakers, air conditioners) located within 59 inches from the floor in the head-impact-zone shall be padded to prevent injury. This includes inner lining of ceiling and walls. Installation of book racks is not permissible.

Exception: Buses purchased prior to September 1974 may be equipped with book racks. However, if book racks are present, they shall be above side windows and shall not extend forward of the front seat or across or above the emergency door. Racks must be free of projections likely to cause injury.

AGENCY NOTE: See RADIO NOISE for additional requirements.

REJECT VEHICLE IF:

Optional equipment in bulkhead does not meet requirements.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Remaining projections are not padded (e.g., external speakers). Book racks are present.

Flush mounted speakers are exempt from padding requirements.

For buses purchased prior to September 1974, book racks do not meet requirements.

d) RADIO NOISE

PROCEDURES/SPECIFICATIONS:

Radio/stereo speakers must be located at least four feet behind the rearmost position of the driver's seat. Any speaker already located in the prohibited area must be permanently deactivated.

REJECT VEHICLE IF:

After January 1, 1999, speakers are located in a prohibited area or are not deactivated.

Two-way communication radios are allowed.

PROCEDURES/SPECIFICATIONS:

Two yellow rigid or sheet type (tape) front reflex reflectors shall be attached securely and as far forward as practicable. (Section 12-202 of the Illinois Vehicle Equipment Law) They shall be located between 15 and 60 inches above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the bus. No part of the required reflecting material may be obscured by a lamp, mirror, bracket, or any other portion of the bus. No part of the required reflecting material may be more than 11.8 inches (300 mm) inboard of the outer edge of the nearest rub rail (12 inches on a bus with chassis manufactured in March 1977 or earlier). The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J

AGENCY NOTE:

ed) REFLECTORS

- 1) Front

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

594; otherwise, it shall display at least seven square inches of reflecting material (about 3 inch diameter if a solid circle).

A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

2) Left Side

PROCEDURES/SPECIFICATIONS:

One amber at or near the front and one red at or near the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. On sides of buses 20 feet or more in length, one amber as near center as practicable must also be provided. (Section 12-202 of the Illinois Vehicle Equipment Law) Minimum three inches in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

3) Right Side

PROCEDURES/SPECIFICATIONS:

One amber at or near the front and one red at or near the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. On sides of buses 20 feet or more in length, one amber as near center as practicable must also be provided. (Section 12-202 of the Illinois Vehicle Equipment Law) Minimum three inches in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

located or positioned as required.

Two red reflectors on rear body within 12 inches of lower right and lower left corners. (Section 12-202 of the Illinois Vehicle Equipment Law) Minimum three inches in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

f) RUB RAILSPROCEDURES/SPECIFICATIONS:

There shall be one rub rail located approximately at seat level which shall extend from the rear of the service entrance completely around the bus body without interruption, except at functioning doors or a rear engine compartment, to a point of curvature near the front of the body on the left side.

There shall be one rub rail on each side located approximately at the floor line which shall extend over the same longitudinal distance as the rub rail located at the seat level.

More than two rub rails may be installed on sides and rear of bus.

Rub rails of longitudinally corrugated or ribbed steel at least 3.9 inches (100 mm) wide shall be fixed on the outside of the bus.

Exceptions:

- 1) Rub rail need not extend across wheel housing.
- 2) Rub rail may terminate at the point of curvature at the right and left rear corners of the body.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

REJECT VEHICLE IF:

Rub rails are missing; not firmly attached;
incorrect color; or incorrect number of rails.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX I Seat Belts Through Steps, Entrance

a) SEAT BELTS

PROCEDURES/SPECIFICATIONS:

Must be installed on driver's seat. (Section 12-807 of the Illinois Vehicle Equipment Law) Belt material, buckle, tongue, etc. shall remain above floor when not in use. All retractors installed shall be an automatic locking type.

Optional: Passenger seats may be equipped with adjustable seat belts. Optional seat belts must be installed to meet the bus body's manufacturer's specifications. The securement-of-these-belts-must conform-to-49-CFR-571-222. At all times, each seat belt shall be readily available for quick and easy use. All retractors installed shall be automatic locking type. Each belt assembly shall be clean.

Exception: On a bus manufactured in August 1974 or earlier, a retractor must be installed; however, the belt need not remain above floor but must not be excessively dirty.

REJECT VEHICLE IF:

Driver's seat belt is dirty, frayed, torn, cracked or broken or if retractor or buckle does not operate properly.

Optional belts are not secured, not adjustable, cracked, broken, frayed, torn or dirty.

b) SEAT,
DRIVER'SPROCEDURES/SPECIFICATIONS:

The driver's seat shall be rigidly positioned and shall afford vertical, forward and backward adjustments of not less than 3.9 inches (100 mm) without the use of a tool or non-attached device. The shortest distance between the steering wheel and the

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

back rest of the operator's seat shall be no less than 11 inches (280 mm).

Seat padding and covering shall be in good condition, free from holes and tears. Seat cushions shall be securely fastened to the seat frame.

REJECT VEHICLE IF:

Driver's seat is not securely anchored to floor; in poor condition; adjustment mechanism does not function properly.

**c) SEAT,
PASSENGER**

PROCEDURES/SPECIFICATIONS:

All seats shall have a minimum front to rear depth of 14 inches.

In determining seating capacity of a bus, individual seating width shall be 13 inches where 3-3 (three pupils on both sides of aisle) seating plan is used and 15 inches where 3-2 (three pupils on one side of aisle and two pupils on other side of aisle) plan is used. (49 CFR 571.222)

All seats shall be forward facing and shall be securely fastened to that part or parts of the body which support them. No jump or portable seats are allowed. Child restraint systems (i.e., car seats) are allowed. They must be installed according to the restraint's manufacturer's specifications.

The forward most seat on the right side of the bus shall be located so as not to interfere with the driver's vision and not be farther forward than the rear of the driver's seat when adjusted to its rearmost position.

The seat spacing shall be no more than 24 inches, measured from the seating reference point to the seat back or guard barrier in front of the seat. (49 CFR 571.222)
The distance between the

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

rearmost position of the driver's seat and the front face of the seat back of the forwardmost seat on the left side shall not be less than 24 inches measured at cushion height:

A minimum of 36 inches of headroom for the sitting position above the top of the undepressed cushion line of all seats shall be provided. Measurement shall be made vertically not more than 7 inches from the side wall at cushion height and at the front and rear center of cushion.

Seat backs of similar size shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor.

Buses manufactured after June 30, 1987, shall be equipped with 28 inch seat backs. (Section 12-807.1 of the Illinois Vehicle Equipment Law) Measure front of seat back from the top down to a point where the seat back meets the seat cushion. This measurement must be at least 28 inches.

Buses manufactured after December 31, 1987 shall have 28 inch guard barriers.

All buses manufactured during and after September 1974 shall be equipped with energy absorbing padding on all exposed top and side rails. The side rails shall be padded in such a manner to retain the 12 inch aisle (15 inches at two inches below top of seat back for buses manufactured after June 30, 1987). On the rear of a seatback, the padding shall extend from the top of the seat back to the top level of the seat cushion. Seat padding and covering shall be of fire resistant material. Padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame.

Optional: The rearmost seats may be exempt from seatback padding requirement.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Exception: All buses manufactured prior to September 1974 are exempt from padding on top and side rails and seat back to cushion level.

A flip-up seat may be located only adjacent to any side emergency door. For buses manufactured on or after September 1, 1994, the flip-up seat must conform to the following:

- 1) The seat must be designed so that, when in the folded position, the seat cushion is flat against the seat back to prevent a child's limb from becoming lodged between the seat cushion and seat back.
- 2) The seat must be designed to discourage a child from standing on the seat cushion when in the folded position.
- 3) The working mechanism under the seat must be covered to eliminate any tripping hazard.
- 4) All sharp metal edges on the seat must be padded to prevent any snagging hazard.
- 5) No-portion-of-a-seat-frame-or-seat-bottom may-extend-past-door-opening:
- 56) No portion of the door latch mechanism can be obstructed by a seat.

57) There must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front. (49 CFR 571.217) (57-PR 49413-November-27-1992)-as-amended-at-59-PR 22997-May-47-1994

REJECT VEHICLE IF:

Passenger seats are not firmly attached to body; broken frame; cushions not firmly attached; padding and covering not fire resistant. Padding or covering is loose, in poor condition, or missing; seats are torn or have holes; minimum seat dimensions or seat spacing is not in compliance.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

For buses manufactured after June 30, 1987, seat back height does not meet requirements.

d) STEERING SYSTEM

- 1) Exterior

A) King Pins

PROCEDURES/SPECIFICATIONS:

Raise vehicle so as to unload kingpins (brakes should be applied to eliminate wheel bearing looseness). Either grasp wheel at top and bottom or use a bar for leverage. Attempt to rock wheel in and out. Check movement at extreme top or bottom of tire. If movement exists, place a dial indicator, tape measure, or a fixed device at the wheel and measure amount of movement.

Place leverage bar under tire. Raise bar to check for vertical movement between spindle and support axle.

REJECT VEHICLE IF:

Wheel bearing movement exceeds 1/4 inch; or kingpin movement exceeds:

Wheel size	Max allowed
16" or less	1/4"
16.1" to 18"	3/8"
over 18"	1/2"

B) Linkage

PROCEDURES/SPECIFICATIONS:

For buses with single "I" beam or tube type front axle, hoist bus under axle. For buses with twin "I" beam type front axles or with "A frame" control arms, each axle or arm must be hoisted independently so as to load the ball joints. Grasp front and rear of tire and attempt to shake assembly right and left to determine linkage looseness. Measure movement of wheel.

Inspect for damage to or looseness in the

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

following linkage components:

- 1) Ball Joints
- 2) Cotter Pins
- 3) Drag Link
- 4) Idler Arm
- 5) Pitman Arm
- 6) Steering Box
- 7) Tie Rod
- 8) Tie Rod Ends

REJECT VEHICLE IF:

Measurement is found to be in excess of:

<u>Rim Diameter</u>	<u>Maximum Allowable Movement</u>
16" or less	1/4"
17" and 18"	3/8"
over 18"	1/2"

Any linkage component is bent; welded; loose; insecurely mounted or missing.

C) Power Steering

PROCEDURES/SPECIFICATIONS:

Manually and visually inspect:

- 1) Belts
- 2) Cylinders
- 3) Fluid Level
- 4) Hoses
- 5) Mounting Brackets
- 6) Power Assist
- 7) Pump

REJECT VEHICLE IF:

Steering components are:

- 1) Loose, frayed, cracked, missing; incorrect belts
- 2) Loose and/or leaking
- 3) Low fluid level
- 4) Cracked, leaking, rubbed by moving parts
- 5) Cracked, loose, or broken

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 6) No assist is evident
- 7) Loose, leaking.

D) Toe-In/
Toe-OutPROCEDURES/SPECIFICATIONS:

With wheels held in a straight ahead position, drive vehicle slowly over the approved drive-on side slip indicator.

Excessive toe-in or toe-out is a general indication that complete check should be made of all front wheel alignment factors (caster, camber, steering axis inclination).

REJECT VEHICLE IF:

More than 30 feet per mile on the approved side slip indicator.

E) Wheel Bearings

PROCEDURES/SPECIFICATIONS:

With the front end of the vehicle lifted so as to load any ball joints, grasp the front tire top and bottom, rock it in and out. Record movement. To verify that any looseness detected is in the wheel bearing, notice the relative movement between the brake drum or disc and the backing plate or splash shield.

AGENCY NOTE:

Wheel bearing play can be eliminated by applying service brakes.

REJECT VEHICLE IF:

Relative movement between drum and backing plate, measured at tire, is 1/4 inch or more.

2) Interior

A) Column

PROCEDURES/SPECIFICATIONS:

Inspect to determine that column support bracket is properly tightened and all bolts are present.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

REJECT VEHICLE IF:

Column support bracket is not properly tightened or bolts are missing.

B) Lash

PROCEDURES/SPECIFICATIONS:

With road wheels in straight ahead position, turn steering wheel until a turning movement can be observed at the left road wheel. Slowly reverse steering wheel motion and measure lash.

REJECT VEHICLE IF:

Lash exceeds following acceptable limits:

Steering wheel maximum diameter (inches)	Acceptable lash (inches) measured at maximum circumference
16 or less	2
18	2 1/4
20	2 1/2
22	2 3/4

C) Shaft

PROCEDURES/SPECIFICATIONS:

Grasp steering wheel with both hands and attempt to move shaft up and down.

REJECT VEHICLE IF:

Steering shaft moves up and down.

AGENCY NOTE:

Steering shafts on International-Navistar vehicles will move up and down but must be within manufacturer's tolerances.

D) Steering Wheel

PROCEDURES/SPECIFICATIONS:

Inspect steering wheel condition.

REJECT VEHICLE IF:

Steering wheel is damaged. Any spokes are missing or reinforcement ring is exposed.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

E) Travel

PROCEDURES/SPECIFICATIONS:

Turn steering wheel through a full right and left turn checking for binding, jamming and complete travel left and right.

REJECT VEHICLE IF:

Binding or jamming is present. Does not complete full turn from left to right. Tire rubs on fender or frame during turn.

e) STEPS, ENTRANCE

PROCEDURES/SPECIFICATIONS:

Steps shall be enclosed and shall not protrude beyond side body line. Surface shall be of nonskid material with 1 1/2 to 3 inch white nosing as part of the nonskid material. Riser of upper step not more than 15 inches in height. When more than two steps are used, risers must be approximately of equal height, except when floor is plywood over steel. (Increase by thickness of plywood.)

REJECT VEHICLE IF:

Steps or risers are not solid. Steps, risers or nonskid material covering is missing, loose, or not in good condition. White nosing is missing or in poor condition.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX J Stop Signal Arm Panel Through Tow Hooks

**a) STOP SIGNAL ARM
PANEL**

PROCEDURES/SPECIFICATIONS:

A stop signal arm panel must be installed on the left side of the bus and may be operated either manually or mechanically. Decals may be used in lieu of painting.

Buses manufactured on or after September 1, 1992 must be equipped with an octagon-shaped semaphore which meet the requirements listed below under "Octagon."

Buses manufactured prior to September 1, 1992 may either be equipped with an octagon-shaped semaphore which meets the requirements listed below under "Octagon" or a hexagon shaped semaphore which meets the requirements listed below under "Hexagon."

Octagon - The arm shall be an octagon-shaped semaphore which measures at least 450 mm x 450 mm (17.72 inches x 17.72 inches) in diameter. The arm shall be red on both sides with a white border at least 12 mm (.47 inches) wide on both sides. The arm shall have the word "STOP" displayed in white uppercase letters on both sides. The letters shall be at least 150 mm (5.9 inches) in height and have a stroke width of at least 20 mm (.79 inches).

The octagon-shaped stop signal arm shall comply with either (a) or (b) below:

- a) The entire surface of both sides of the arm can be reflectorized to meet 49 CFR 571.131; or
- b) Each side of the arm shall have at least two red lamps centered on the vertical centerline of the stop arm. One lamp shall be located at the extreme top of the arm and the other at its extreme bottom. The lamps shall light and flash alternately when stop arm is extended

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

and likewise turn off and stop flashing when arm is closed. (49 CFR 571.131) (See Section 441.Illustration A for examples.)

Hexagon - The arm shall be a hexagon shaped semaphore approximately 18 inches wide and 18 inches long and of 16 gauge metal. The stop arm signal shall have the "STOP" painted on both sides in white letters at least six inches high with a brush stroke approximately 7/8 inch wide. The word "STOP" shall be painted on a panel with red background of approximately 8 inches by 16 inches. Remaining area of stop arm blade is to be painted white with a band of white border at least 1/2 inch wide painted from and rear on both sides as contrast. White portion of stop arm signal shall be reflectorized or shall have double-faced lamps with red lens approximately four inches in diameter located in the top and bottommost position of the blade. These lamps shall light and flash alternately when stop arm is extended and likewise turn off and stop flashing when arm is closed. (Section 12-803 of the Illinois Vehicle Equipment Law) (See Section 441.Illustration A for examples.)

Optional: Strobe lamps are acceptable on stop signal arm panels.

Optional: Additional stop signal arm panels must be located on the left side of the bus. Additional panels must operate in conjunction with the required panel and meet all stop signal arm panel requirements except as follows. The additional panel must not contain any lights, marking or reflective material on the front side of the panel. The additional panel must be located in the rear half of the bus adjacent to the rearmost window.

REJECT VEHICLE IF:

Stop signal arm panel is in poor condition (i.e., faded, peeling, or rusted); lights do not operate properly (if installed); is not

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

securely attached; is not operating properly; does not meet requirements; is missing.

b) STORAGE
COMPARTMENT
(optional)

PROCEDURES/SPECIFICATIONS:

Covered, fire-resistant container securely fastened of adequate strength and capacity for tire chains and tools for minor emergency repairs.

REJECT VEHICLE IF:

If installed, does not meet requirements.

c) SUN VISOR

PROCEDURES/SPECIFICATIONS:

Interior, adjustable, transparent, not less than 6 inches by 30 inches, installed above windshield. Must not interfere with view of interior rear view mirror.

Exemption: Buses purchased prior to August 1967 are exempt from having a transparent sun shield.

REJECT VEHICLE IF:

Sun visor does not meet requirements.

d) SUSPENSION

1) Shocks

PROCEDURES/SPECIFICATIONS:

Bus shall be equipped with front and rear double-acting shock absorbers compatible with manufacturer's rated axle capacity.

With vehicle on a hoist or jacked up, visually inspect shock absorbers for excessive leakage, looseness of mounting, brackets, and bolts.

Physically grab upper and lower portion of shock inspecting for looseness in rubber bushing, mounting brackets or bolts.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

REJECT VEHICLE IF:

Shocks are missing, broken, or have severe leakage (not slight dampness) occurs. Mounting bolts or mounts are broken or loose, or rubber bushing is partially or completely missing.

PROCEDURES/SPECIFICATIONS:

2) Springs

Visually inspect:

- 1) Spring
- 2) Control arms
- 3) Torque arms (rear)

REJECT VEHICLE IF:

Coil is missing, disconnected, broken, loose bushings, welded or damaged.

PROCEDURES/SPECIFICATIONS:

B) Leaf

With use of a pry bar and using frame as a pivot, attempt to pry front and rear spring attachments and check for movement. Front of vehicle must be jacked up on chassis for checking front suspension. Visually inspect:

- 1) Springs
- 2) Shackles
- 3) Hangers
- 4) U-bolts
- 5) Center bolts
- 6) Bushings or pivot

REJECT VEHICLE IF:

Springs are missing or broken. Shackles or "U" bolts worn or loose. Center bolt in springs sheared or broken. Steering stops allow tire to rub on frame or metal. Any leaves are cracked or missing. Any shackle, shackle pins, hangers, or "U" bolts are worn, loose, or missing.

C) Torsion
Bar (Stabilizer)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Bar)

PROCEDURES/SPECIFICATIONS:

Visually inspect:

- 1) Torsion bar
- 2) Mounting brackets
- 3) Control arms
- 4) Torque arms (if applicable - rear)
- 5) Stabilizer bar(s) (if applicable)

REJECT VEHICLE IF:

Torsion bar is missing, disconnected, broken, loose, welded, damaged.

e) TOW HOOKS
(optional)

1) Front

PROCEDURES/SPECIFICATIONS:

A front tow hook must not extend beyond the front of the front bumper. Each front tow hook not fastened securely to the chassis frame shall be connected to the frame by suitable braces.

REJECT VEHICLE IF:

Tow hook(s) extend beyond bumper; not securely attached.

2) Rear

PROCEDURES/SPECIFICATIONS:

Any tow hook(s) installed on the rear shall be attached or braced to the chassis frame or to an equivalent structural member of an integral type bus. A tow hook must not extend beyond the rear face of the rear bumper.

REJECT VEHICLE IF:

Tow hook(s) extend beyond bumper; not securely attached.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441.APPENDIX K Undercoating Through Windshield Wipers

a) UNDERCOATING

PROCEDURES/SPECIFICATIONS:

Fire resistant undercoating material applied to entire underside of body, front fenders, wheel wells, floor members, and side panels below floor level. Non-metallic parts need not be coated.

REJECT VEHICLE IF:

Undercoating does not meet requirements.

b) VENTILATION

PROCEDURES/SPECIFICATIONS:

Body must be equipped with ventilating system capable of supplying proper quantity of air under operating conditions.

REJECT VEHICLE IF:

Air is obstructed; not securely fastened; not covered.

c) WARNING
DEVICES

PROCEDURES/SPECIFICATIONS:

Either three red cloth flags not less than 12 inches square and three red reflectors minimum of 3 inches in diameter or three bidirectional emergency triangles that conform to 49 CFR 571.125 (Section 12-702 of the Illinois Vehicle Equipment Law) Kit shall be securely stored.

REJECT VEHICLE IF:

Required warning devices are not present or are in poor condition.

d) WHEELS

PROCEDURES/SPECIFICATIONS:

Full open type attached to floor sheet to

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

prevent water, fumes or dust entering the body. Inside height should not exceed 10 inches above floor line. Housings shall allow for unimpeded wheel and tire service or removal. Housing shall provide clearance for installation and use of tire chains on the dual or single tires installed on the rear wheels.

Inspect tire and road wheel assemblies.

REJECT VEHICLE IF:

Wheel housings do not meet clearance requirement; wheel housings are not firmly secured; holes are present.

A tire or wheel is rubbing against any portion of the suspension, chassis, or body.

2) Rim

PROCEDURES/SPECIFICATIONS:

Inspect all wheel and rim bolts, nuts, studs, lugs, locking rings, etc. Each cover, cap, or decorative ring that obscures any of these items must be removed prior to the inspection.

Inspect for visible wheel damage.

REJECT VEHICLE IF:

Any wheel or rim securing device such as a nut, bolt, stud, lug, ring, or other type securing device is loose, missing, or cracked.

Wheel locating hole(s) are elongated, oversized, or "wallowed out." Any part of a wheel or rim is cracked, repaired by welding or rewelding, or damaged so as to cause unsafe operation of the vehicle.

3) Tires

PROCEDURES/SPECIFICATIONS:

Inspect tire for proper inflation (i.e., flat tire).

A regrooved, retreaded, or recapped tire shall

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

not be on the front steering axle.

A tire with restricted use marking is prohibited. (e.g., "NHS" or "SL" following size marking, "Off Highway," "Farm Use," "Racing Only," etc.)

No school bus shall be equipped with any tire which has been so worn that tread configuration is absent on any part of the tire in contact with the road surface.

Inspect for tread wear:

- 1) Check for the presence of tread wear indicators.
- 2) For tires without tread wear indicators, use tread depth gauge to measure groove depth.

Steering (Front) and Drive (Rear) Axles
 Axle: Measure groove depth at any point on a major tread groove.

Drive--(Rear)--Axle--Measure-groove-depth-in-any-two-adjacent-grooves--at--three--equally-spaced--intervals--around--the-circumference--of--the-tire.

Do-not-measure-on-a-tie-bar--groove-hump--or-fillet.

- 3) For tires without tread wear indicators and with noncircumferential grooves, or "spaces," between the tread elements (as in snow, mud, lug knob, or traction treads):

Steering (Front) and Drive (Rear) Axles
 Axle: Measure in a major groove at a point halfway between the center of the tire and the outside of the tread at any point on a major tread groove.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

~~Drive-(Rear)-Axle--Measure-in-a-major-groove at-a-point-halfway-between-the-center-of--the tire--and--the--outside-of-the-tread-at--three equally--spaced---intervals---around---the circumference-of-the-tire-~~

- 4) Inspect tire for bald, partially bald, cupped, dishd or unevenly worn areas.

- 5) The measurements shall not be made where the tie bars, humps, or fillets are located.

AGENCY NOTE: "Bald" means without a groove.

Inspect for visible cord damage and exposure of ply cords in sidewalls and treads, including belting material cords.

Inspect for evidence of tread or sidewall separation.

Inspect for regrooved or recut treads.

AGENCY NOTE: 49 CFR 369 requires tires marked "REGROOVABLE" to have sufficient tread rubber that, after regrooving, cord material below the grooves shall have a protective covering of tread material at least 3/32 inch thick.

Inspect tires for legible markings showing size designation and carcass construction.

AGENCY NOTE: "R" in size designation shows radial construction. More plies at tread than sidewall shows belted construction. Same number of plies at tread and sidewall, without a belted or radial indication, shows plain bias construction.

Tires on same axle must be of same construction.

Inspect tires for size designation and for matched construction.

AGENCY NOTE: "Construction" refers to bias, bias belted, or radial arrangement of ply cords in the tire carcass.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Inspect each single dual tire assembly.

A mixture of regular and mud-and-snow treads must be the same on both sides of axle.

When radial and conventional (i.e., bias) tires are both used on a vehicle, one of the following two requirements shall be met:

- 1) On vehicles with one single wheel axle and one or more dual wheel axles, radial tires shall be used on the steering (i.e., front) axle only.

- 2) On vehicles having two single wheel xles, radial tires shall be used on the rear axle only.

A tube built only for bias tire shall not be installed in a radial tire. Red color shall not be added to stem of a "bias" tube. (Valve stem of tube for radial tire is either marked "radial" or has red ring or is painted red.) A "radial" tube and flap may be used in a bias tire.

Inspect valve stems.

REJECT VEHICLE IF:

Improper inflation (flat tire).

Regrooved, retreaded or recapped tire is located on front steering axle.

Restricted marking is present.

Any part of tire which is in contact with road surface is absent of tread configuration.

- 1) Tread wear indicators contact road at any point on a major tread groove in any two adjacent grooves at three equally spaced intervals around the circumference of the tire.

- 2) On steering (front) axle: Tread groove depth is less than 4/32 inch when

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

measured at any point on a major tread groove.

On drive (rear) axle: Tread groove depth is less than 2/32 inch when measured at any point on a major tread groove in any two adjacent grooves at three essentially equally spaced intervals around the circumference of the tire.

- 3) On steering axle: Tread groove depth is less than 4/32 inch when measured in a major groove at a point halfway between the center of the tire and the outside of the tread at any point on a major tread groove.

On drive axle: Tread groove depth is less than 2/32 inch when measured in a major groove at a point halfway between the center of the tire and the outside of the tread at any point on a major tread groove at three essentially equally spaced intervals around the circumference of the tire.

- 4) The tire has bald, partially bald, cupped, dishd or unevenly worn areas. A broken or cut cord can be seen. Rubber is worn, cracked, cut or otherwise deteriorated or damaged so that a cord can be seen - either when the tire is not touched or when the edges of the crack, cut or damage are parted or lifted by hand.

Tire has bump, bulge, knot or other evidence of partial carcass failure, air seepage, or loss of adhesion between carcass and tread or sidewall.

Tread has been regrooved or recut on a tire that does not have the word "REGROOVABLE" molded on or into both sides of the tire.

A tire on a road wheel does not exhibit a legible size marking and a legible construction marking.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Tires on the same axle are not of same construction.

A tire exceeds the diameter (not width) of its mate by 1/2 inch (1/4 inch radius) or more; or one tire touches its mate.

A mixture of regular and mud-and-snow treads are not the same on both sides of the axle.

Requirements for using both radial and conventional tires on a vehicle are not met.

A tube built only for bias tire but installed in a radial tire.

A valve stem leaks; is cracked; is either damaged or positioned so as to hamper pressure checking or inflation; shows evidence of wear because of misalignment.

e) WINDOWS

PROCEDURES/SPECIFICATIONS:

All applicable provisions of 49 CFR 571.205 apply to the optional laminated safety glass and also to any plastic material(s) used in a multiple glazed unit.

Glazing shall be marked as follows pursuant to 49 CFR 571.205:

- 1) Windshield - "AS 1" Glass
- 2) Driver's Window - "AS 1" Glass or "AS 2" Glass
- 3) Driver's door - "AS 1" Glass or "AS 2" Glass
- 4) All other locations - "AS 1" Glass, "AS 2" Glass, or "AS 3" Glass.

REJECT VEHICLE IF:

Windows do not meet requirements or are not properly identified.

- 1) Emergency

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

(Also see
EMERGENCY
EXITS)

PROCEDURES/SPECIFICATIONS:

When the emergency door is located on the left side, a rear emergency window shall be provided. Minimum dimensions are 16 inches high and 48 inches wide. Designed to be opened from the inside or the outside. Hinged on top, designed and operated to insure against accidental closing in an emergency. Inside handle shall provide for quick release. Outside handle shall be nondetachable and nonhitchable. When locked or not fully latched, window shall actuate alarm audible and visible to driver. No cutoff switch allowed.

Optional emergency windows are allowed. They must be labelled "Emergency Exit" in letters at least two inches high, of a color that contrasts with its background, located at the top of or directly above the window on the inside surface of the bus. Optional emergency windows must be equipped with an audible alarm activated when window is locked or not fully latched.

REJECT VEHICLE IF:

Operating mechanisms do not function. Alarm does not function. Glass is cracked or broken (see EMERGENCY EXIT - Alarms and Locks).

2) Rear

PROCEDURES/SPECIFICATIONS:

Glazed panels, or windows, (except rear emergency window) shall be of fixed type. Any authorized or required signs, letters or numerals displayed on the window in the rear of the bus shall be located so as not to obstruct the driver's view.

REJECT VEHICLE IF:

Glass is cracked or broken. Visibility through rear windows is obstructed.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

3) Side

PROCEDURES/SPECIFICATIONS:

Each side window shall provide unobstructed emergency opening at least 9 inches high and 22 inches wide, obtained either by lowering window or by use of knock-out type split sash. A "Stop Line" is required six inches from top of window on all windows. Safety glass with exposed edges shall be banded.

Window latches must be in proper working order.

Exception: The requirements of this subsection do not apply to a side window or glazed panel installed forward of a front passenger seat, and are optional for a side window installed either beside a rear passenger seat, or in a side emergency exit.

Note: For information regarding optional route identification markings, see LETTERING Bettering.

REJECT VEHICLE IF:

Side windows do not meet emergency opening requirements. Window does not open easily. Glass is cracked or broken. Stop lines are missing.

Window latches do not operate properly.

4) Windshield

PROCEDURES/SPECIFICATIONS:

Shall be installed between front corner posts and designed not to obstruct driver's view. (Section 12-501 of the Illinois Vehicle Equipment Law) Windshield shall be slanted to reduce glare. Tinted safety glass shall only be allowed six inches below top of windshield.

REJECT VEHICLE IF:

Windshield is not firmly sealed or attached. Glass is broken, cracked, or discolored (not including allowed tint). "Star chip" is present which measures more than one inch in diameter.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

f) WINDSHIELD
WASHERPROCEDURES/SPECIFICATIONS:

Windshield washer shall effectively clean entire area covered by both wipers.

Exception: All buses purchased prior to September 1974 are exempt. However, if bus is so equipped, washer must be in good operating condition.

REJECT VEHICLE IF:

Windshield washer does not effectively clean entire area or does not operate properly.

g) WINDSHIELD
WIPERSPROCEDURES/SPECIFICATIONS:

Two automatic, variable speed wipers with nonglare arms and blades. Need not be individually powered.

REJECT VEHICLE IF:

Windshield wipers do not cover entire cleaning area. Blades are damaged, torn, hardened, or rubber wiping element has broken down. Wiper fails to park properly when shut off.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

Section 441. ILLUSTRATION E Driver's Pre-Trip Inspection Requirements and Sample Form (Repealed)

As required in Section 13-115 of the Illinois Vehicle Inspection Law, drivers must complete the following "Pre-Trip Inspection" daily:

"Each day that a school bus is operated the driver shall conduct a pre-trip inspection of the mechanical and safety equipment on the bus as prescribed by rule or regulation of the Department." (Section 13-115 of the Illinois Vehicle Inspection Law)

The following requirements became effective August 17, 1975:

a) The driver must inspect his vehicle each day prior to beginning a trip.

b) The driver is required to make a written report of this pre-trip inspection. He must report any defects found to the proper authority so that the defects can be corrected.

c) The pre-trip inspection report shall be made in duplicate.

d) As designated by the owner, the original copy shall be presented to the person of authority on a daily basis. These original copies shall be retained by the owner for one hundred and eighty days.

e) The duplicate copy shall remain in the bus for a period of at least thirty days.

f) The form shall specify items to be checked (see subsection (i)) and the minimum information to be recorded.

g) The pre-trip inspection records and reports will be made available for inspection and audit by authorized representatives of the Department at any time.

h) It is the responsibility of the bus owner to furnish pre-trip inspection report forms that meet the minimum requirements of this Chapter.

i) Required items to be checked during the driver's Pre-Trip inspection:

1) Coolant, oil, battery, washer fluid, levels, fan belts, and wiring.

2) Steps, cleanliness, upholstery, windows, warning devices, fuses, first aid kit, fire extinguisher, emergency door (open and close), etcetera.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

- 3) Odometer---reading---and---indication---of---whether---or---not---state inspection-is-due-
- 4) Steering-wheel---windshield-wipers-and-washers---heater---and defroster---horn---service-door---(open---and---close)---all-mirrors (adjustment)---door-buzzer---clutch---brake-warning-buzzer---stop-arm control---gear-shift-lever---neutral---safety---switch---water temperature-fuel-vacuum-or-air-pressure-gauges---parking-brake seat-belt(s)-
- 5) Ammeter---all-interior-lights---headlights-(high/low-beams)-
- 6) Right-front-wheel-and-tire---right-side-marker-lamp---turn-signal light---and---reflectors---right-rear-view---and---safety---mirror headlight---turn-signals---cluster-clearance-and-i-b-lights alternating-flashing-lights-windshield-underside-of-chassis crossover-mirror-left-rear-view-mirror-and-safety-mirror-left front-wheel-and-tire-driver's-side-window-stop-arm-left-side marker-lamps---turn-signal-light-and-reflectors-emergency-door (open-and-close)-left-rear-wheels-and-tires-exhaust-system (tailpipe-clear)-cluster-clearance-and-i-b-lights-tailights turn-signals-and-reflectors-alternating-flashing-lights-rear emergency-door-(open-and-close)-right-rear-wheels-and-tires fuel-tank-filler-cap-
- 7) Brain---air---brake---tank---Record-condition-of-bus-(if-er satisfactory-or-unsatisfactory)-

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

~~COMPANY NAME OR SCHOOL DISTRICT NAME~~

Bus	Odometer	Date	Time
<input type="checkbox"/> Open Hood and Check	<input type="checkbox"/> With Engine Running and All		
<input type="checkbox"/> Coolant Oil Battery Water	<input type="checkbox"/> Lights On Check Following Equip-		
<input type="checkbox"/> Fluid Levels Fan Belts and	<input type="checkbox"/> ment Outside Bar		
Wiring	<input type="checkbox"/> Right Front Wheel and Tire		
<input type="checkbox"/> Loose Bus and Chassis	<input type="checkbox"/> Right Side Mirror-Lenses-Turn		
<input type="checkbox"/> Steps-Clutch-Light	<input type="checkbox"/> Signal Light		
<input type="checkbox"/> Windows-Miscellaneous	<input type="checkbox"/> and Bellows		
<input type="checkbox"/> Switch Start Aid Key Cams	<input type="checkbox"/> Right Rear View and Safety		
<input type="checkbox"/> Springwater and Emergency	<input type="checkbox"/> Mirror		
<input type="checkbox"/> Door-Locks and Closes	<input type="checkbox"/> Headlights-Turn Signals		
<input type="checkbox"/> Locking	<input type="checkbox"/> Cluster-Clearance and i-b-		
<input type="checkbox"/> Revers-Odometer Reading	<input type="checkbox"/> Lights		
<input type="checkbox"/> Circle if State Inspection is due	<input type="checkbox"/> Alternating Flashing Lights		
Shocks	<input type="checkbox"/> Windshield		
<input type="checkbox"/> Start Engine and Chassis	<input type="checkbox"/> Lock under Bus for Jacks		
<input type="checkbox"/> Steering Wheel	<input type="checkbox"/> Crossbar Mirror		
<input type="checkbox"/> Windshield Wiper and Washers	<input type="checkbox"/> Left Rear View Mirror-Safety		
<input type="checkbox"/> Master and Defroster	<input type="checkbox"/> Mirror		
<input type="checkbox"/> Hoses	<input type="checkbox"/> Left Front Wheel and Tire		
<input type="checkbox"/> Service Door-Locks and Closes	<input type="checkbox"/> Emergency Side Windows		
<input type="checkbox"/> All Mirror Adjustments	<input type="checkbox"/> Sun Lamp		
<input type="checkbox"/> Door Buzzer	<input type="checkbox"/> Left Side Mirror-Lenses-Turn		
<input type="checkbox"/> Clutch	<input type="checkbox"/> Signal Light		
<input type="checkbox"/> Brake Warning Buzzer	<input type="checkbox"/> Emergency Door-Open and		
<input type="checkbox"/> Stop Arm-Gong	<input type="checkbox"/> Close		
<input type="checkbox"/> Seat Belt-Lamp	<input type="checkbox"/> Left Rear Wheel and Tire		
<input type="checkbox"/> Neutral Safety Switch	<input type="checkbox"/> Exhaust System-Exhaust		
<input type="checkbox"/> Water-Temp-Fuel-Vacuum	<input type="checkbox"/> Valve		
<input type="checkbox"/> Air Pressure	<input type="checkbox"/> Cluster-Clearance and i-b-		
<input type="checkbox"/> Gauge	<input type="checkbox"/> Lights		
<input type="checkbox"/> Parking Brake	<input type="checkbox"/> Tailgate-Turn Signal and		
<input type="checkbox"/> Seat Belt	<input type="checkbox"/> Bellows		
<input type="checkbox"/> Drive Bus Forward and Apply Brakes	<input type="checkbox"/> Alternating Flashing Lights		
<input type="checkbox"/> Adjust Air Lights and Chassis	<input type="checkbox"/> Rear-Swingway-Door-Locks		
<input type="checkbox"/> Ammeter-All Lenses-Lights	<input type="checkbox"/> and Closes		
<input type="checkbox"/> Headlights	<input type="checkbox"/> Right Rear Wheel and Tire		
<input type="checkbox"/> High/Low Beams	<input type="checkbox"/> Fuel Tank Filler Cap		
	<input type="checkbox"/> Clean Air Brake Tank		
	<input type="checkbox"/> Condition of this Bus is		
	<input type="checkbox"/> Satisfactory		
	<input type="checkbox"/> Unsatisfactory		

REMARKS

Signature of Driver making Report

Signature of Mechanic making Report

Form Report Completed

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

(Source: Repealed at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF TRANSPORTATION
NOTICE OF PROPOSED AMENDMENTS

Section 441. ILLUSTRATION F School Bus Emergency Exits

School buses manufactured on or after September 1, 1994 may be equipped with additional exits. These additional exit requirements apply to school buses with an incomplete vehicle date of on or after September 1, 1994. The incomplete vehicle date can be found on the bus' federal certification label.

Each school bus will first be equipped with either a rear emergency door or a side emergency door and rear emergency window as stated in paragraphs (a) and (b).

The following Tables specify the required number of exits depending on the vehicle's passenger capacity and emergency exit configuration.

- a) One rear emergency door that opens outward and is hinged on the right side (either side in the case of a bus with a GVWR of 10,000 pounds or less), and the additional exits, if any, specified by Table 1.

TABLE 1

Seating Capacity	Additional exits required
1-45	None.
45-62	1 left side exit door or 2 exit windows.
63-70	1 left side exit door or 2 exit windows, and 1 roof exit.
71 and above	1 left side exit door or 2 exit windows, and 1 roof exit, and any combination of door, roof, or windows such that the total capacity credit specified in Table 3 for these exits, plus 70, is greater than the seating capacity of the bus.

- b) One emergency door on the vehicle's left side that is hinged on its forward side and a pushout rear window that provides a minimum opening clearance 16 inches high and 48 inches wide, and the additional exits, if any, specified by Table 2.

TABLE 2

Seating Capacity	Additional exits required
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ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

1) Heading of the Part: The Protection, Treatment and Inventory of Archaeological and Paleontological Resources on Public Lands

2) Code Citation: 17 Ill. Adm. Code 4190

3) Section Numbers: Adopted Action:

4190.101 New
4190.102 New
4190.103 New
4190.104 New
4190.105 New
4190.106 New
4190.201 New
4190.202 New
4190.203 New
4190.204 New
4190.205 New
4190.206 New
4190.301 New
4190.302 New
4190.303 New
4190.401 New
4190.402 New
4190.403 New
4190.404 New
4190.405 New
4190.406 New
4190.407 New
4190.408 New
4190.409 New
4190.410 New
4190.501 New
4190.601 New
4190.602 New
4190.603 New

4) Statutory Authority: Subparts A and B implement and are authorized by Section 11 of the Archaeological and Paleontological Resources Protection Act [20 ILCS 3435]. Subpart C implements and is authorized by Section 10 of the Archaeological and Paleontological Resources Protection Act [20 ILCS 3435]. Subparts D and E implement and are authorized by Section 9 of the Archaeological and Paleontological Resources Protection Act [20 ILCS 3435].

5) Effective Date of Rulemaking: November 17, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED AMENDMENTS

1-57
58-74
75-82
83 and above
None.
1 right side exit door or
2 exit windows, and 1 roof
exit.
1 right side exit door or
2 exit windows, and 1
roof exit.
1 right side exit door or
2 exit windows, and 1
roof exit, and any combination
of door, roof, or windows such
that the total capacity credit
specified in Table 3 for these
exits, plus 82, is greater than
the seating capacity of the
bus.

TABLE 3

Exit Type	Capacity Credit
Side Door	16
Window	8
Roof Exit	8

(Source: Added at 22 Ill. Reg. _____, effective _____)

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- 8) Date Filed in Agency's Principal Office: November 13, 1997
- 9) Notice of Proposal Published in Illinois Register:
June 6, 1997 at 21 Ill. Reg. 6642.
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
Technical and editorial changes suggested by public comment and by the Joint Committee on Administrative Rules have been incorporated.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking:
This Part provides definition of terms and procedures to be followed for the protection and treatment of archeological and paleontological sites on public lands. It also outlines procedures for the establishment and maintenance of a site inventory and for release of site information. Finally, it establishes professional standards for archaeologists and paleontologists performing investigations on public lands within Illinois.
- 16) Information and questions regarding these adopted rules shall be directed to:

Name: William Wheeler
Address: State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, Illinois 62701
Telephone: 217-785-4512

The full text of the Adopted Rule begins on the next page:

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- TITLE 17: CONSERVATION
CHAPTER VI: ILLINOIS HISTORIC PRESERVATION AGENCY

PART 4190

THE PROTECTION, TREATMENT, AND INVENTORY OF ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES ON PUBLIC LANDS

SUBPART A: PROTECTION OF ARCHAEOLOGICAL AND
PALEONTOLOGICAL RESOURCES ON PUBLIC LANDS

Section	Purpose of Rules
4190.101	Definitions
4190.102	Coordination With Other Statutes
4190.103	Unexpected Discovery of Archaeological and Paleontological Resources on Public Lands
4190.104	Review of Final Reports
4190.105	Custody and Curation
4190.106	

SUBPART B: PROHIBITED ACTS; PENALTIES

Section	Prohibited Acts; Notification of Agency
4190.201	Criminal Penalties
4190.202	Civil Penalties
4190.203	Civil Damages
4190.204	Penalty Amounts
4190.205	Rewards
4190.206	

SUBPART C: ILLINOIS INVENTORY OF ARCHAEOLOGICAL AND
PALEONTOLOGICAL SITES

Section	Purpose of Inventory
4190.301	Inventorying of Archaeological and Paleontological Sites
4190.302	Release of Site Information
4190.303	

SUBPART D: CERTIFICATION OF PROFESSIONAL ARCHAEOLOGISTS AND
PALEONTOLOGISTS

Section	Purpose
4190.401	Certification Requirements
4190.402	Application Procedures
4190.403	Requirements for Supervisory Archaeological Field Technician
4190.404	Certification
4190.405	Requirements for Supervisory Professional Prehistoric or Historic Field Archaeologist Certification

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

4190.406 Requirements for Certified Professional Underwater Archaeologist
 4190.407 Requirements for a Certified Professional Paleontologist
 4190.408 Certification Approval
 4190.409 Denial of Certification
 4190.410 Suspension or Revocation of Certification
 4190.501 Hearings and Appeals

SUBPART E: ILLINOIS PROFESSIONAL ARCHAEOLOGISTS' CODE OF ETHICS AND
 STANDARDS OF RESEARCH PERFORMANCE

Section
 4190.601 Purpose
 4190.602 Code of Ethics
 4190.603 Standards of Research Performance

AUTHORITY: Implementing and authorized by the Archaeological and Paleontological Resources Protection Act [20 ILCS 3435].

SOURCE: Adopted at 21 Ill. Reg. 15204, effective NOV 12 1999.

SUBPART A: PROTECTION OF ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES ON
 PUBLIC LANDS

Section 4190.101 Purpose of Rules

This Part implements the provisions and intent of the Archeological and Paleontological Resources Protection Act [20 ILCS 3435]. The State reserves to itself the exclusive right to control archaeological and significant paleontological resources on public lands in order to protect and preserve scientific and cultural information, artifacts, and materials. As part of that process, this Part mandates the maintenance of a State site file containing all known archaeological and significant paleontological resource locations and set standards for professional archaeologists and paleontologists working on public lands within the State of Illinois. Furthermore, it is the purpose of this Part to encourage the preservation and protection of archaeological and paleontological resources on both private and public lands and to discourage their exploitation and destruction by vandalism, looting, commercial development, and construction. Publicly-owned resources should be considered as scientific and educational preserves that are held in trust for future generations and will be given the highest level of preservation and protection from both planned and unplanned disturbances. This Part is not intended to discourage collection of common invertebrate and/or plant fossils by educational groups, the scientific community, and the public where not otherwise prohibited. Invertebrate fossils are very common in the rocks of Illinois. This Part is intended for archaeological resources, significant paleontological resources, and extremely significant invertebrate and plant fossil localities on public lands.

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

Section 4190.102 Definitions

"Act" means 20 ILCS 3435, the Archeological and Paleontological Resources Protection Act.

"Adequate historical documentation" is information verifiable through at least two of the following types of independent sources: public records, deeds, maps, and other written and oral sources.

"Agency" means the Illinois Historic Preservation Agency.

"Agency Archaeologist" means an archaeologist who is certified at Level III under Section 4190.405(d)(3) of this Part and who is head of the Agency archaeology program.

"Archaeological resource" means any significant material remains or localities of past human life or activities on public land including, but not limited to, artifacts, historic and prehistoric human skeletal remains, mounds, earthworks, shipwrecks, forts, village sites, or mines. Coins, bullets and unworked minerals and rocks shall not be considered archaeological resources for purposes of the Act and this Part unless found in a direct physical relationship with archaeological resources as defined in this Section.

"Attorney General" means the Attorney General of the State of Illinois.

"Certified professional archaeologist" means an archaeologist certified by the Agency as described in Subpart D of this Part.

"Certified professional paleontologist" means a paleontologist certified by the Agency as meeting the requirements under Subpart D of this Part.

"Director" means the Director of the Agency.

"Disturb" includes defacing, mutilating, injuring, exposing, removing, destroying, desecrating or molesting in any way. It does not include surface collecting of arially exposed paleontological resources or removal of common invertebrate fossils with a small hand tool, such as a rock hammer.

"Field investigation" means the study by a certified archaeologist of archaeological resources or by a certified paleontologist of paleontological resources at any land or water location by means of surveying, sampling, excavating, or removing subsurface objects or going on a site with that intent.

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

"Final report" is the documentation of field work and analysis of the materials recovered and the physical context in which they were present followed by the interpretation of the site.

"Grave artifacts" means all relics, specimens, or objects of a historical, prehistorical, cultural, archaeological or anthropological nature of human manufacture or use which may be found above or below the surface of the earth and which were associated with human skeletal remains in any unregistered grave.

"Grave markers" are any tombs, monuments, stones, ornaments, mounds, or other items of human manufacture that is associated with an unregistered grave.

"Historic significance" means that the Director has determined that the archaeological resource has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning cultures in Illinois of more than 50 years ago.

"Human skeletal remains" or "human remains" means any part of the body of a deceased person in any stage of decomposition in a context indicating substantial evidence for an intentional or unintentional burial; or a disarticulated or articulated skeleton.

"Illinois Inventory of Archaeological and Paleontological Sites" shall be as described in Subpart C of this Part.

"Inventory" means the Illinois Inventory of Archaeological and Paleontological Sites as described in Subpart C of this Part.

"Material remains of past human life or activities" refers to any physical evidence of human habitation, occupation, use or activity. Such items of evidence include, but are not limited to:

surface, subsurface, or submerged structures (a specific example includes, but is not limited to, shipwrecks),

shelters, facilities (specific examples include, but are not limited to, forts and mines),

features (specific examples include, but are not limited to: domestic structures, human-made mounds, earthworks, canals, reservoirs, horticultural garden areas, rock alignments, cairns, middens, kilns, and post molds),

surface, subsurface, or submerged concentrations or scatters of artifacts,

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

whole or fragmentary tools, implements, containers, weapon projectiles, clothing, and ornaments (specific examples of these include, but are not limited to: pottery and other ceramics, basketry, cordage, weavings, coins, bullets, bottles and other glassware, flaked stone, bone, metal, wood, hide, feathers, and pigments),

by-products of manufacture or use of human-made or natural materials, organic waste (specific examples include, but are not limited to: vegetal and animal remains, coprolites),

rock carvings, rock paintings, intaglios, and other works of artistic or symbolic representation,

rockshelters or caves containing any of the foregoing materials,

the physical site or location of any of the foregoing,

any portion or piece of any of the foregoing.

"Material remains of past life or traces" refers to any physical parts of plants or animals, other than humans, and evidence for the existence of past life. Such items of evidence include, but are not limited to:

complete or partial specimens of bones, teeth, and other body parts including, but not limited to, feathers, scales, and cuticles of vertebrate animals,

complete or partial specimens of skeletons, both organic and inorganic, including, but not limited to, chitin, cuticle, mineral constituents such as calcite and aragonite of shells, and other body parts of invertebrate animals,

complete and partial specimens of plant parts including, but not limited to, leaves, stems, flowers, spores, pollen, cuticles, fruiting bodies (e.g., seeds), roots, rhizomes, and tubers; and

complete and partial specimens of traces of life including, but not limited to, casts, molds, impressions, carbonizations, tracks, and stains.

"Mid-continental Region" means that part of the United States that falls within the states of Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Missouri, eastern Iowa and southeastern Minnesota.

"Museum" means the Illinois State Museum.

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

"Museum Director" means the Director of the Illinois State Museum.

"Paleontological resource" means any significant fossil or material remains of past life, other than human, on public lands including traces or impressions of animals or plants that occur as part of the geological record that are known and are included in the files maintained by the Illinois State Museum under Section 10 of the Act.

"Permit" means a permit issued by the Agency pursuant to the Act and this Part.

"Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation or a receiver, trustee, guardian or other representative appointed by order of the court, the federal and State governments, including State universities created by statute, or any city, town, county or other political subdivision of this State.

"Primary rock body or sedimentary unit" means the rocks or sediments that occur in the location of their original deposition.

"Public land" means any land owned, but does not include land leased as lessee, by the State of Illinois or its agencies, a State university created by statute, a municipality or a unit of local government.

"Significant material remains or localities" means any archaeological resource that:

is listed in the National Register of Historic Places;

has been formally determined by the Director to be eligible for listing in the National Register of Historic Places as defined in the National Historic Preservation Act (16 U.S.C. 470) and its regulations;

has been nominated by the Director and the Illinois Historic Sites Advisory Council for listing in the National Register of Historic Places;

meets one or more of the criteria for listing in the National Register of Historic Places (36 CFR 60), as determined by the Director or is listed in the Illinois Register of Historic Places.

"Site" means the physical location of archaeological or paleontological resources.

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

"Unregistered grave" means any grave or location (including any unmarked burial site) where a human body has been buried or deposited, that is over 100 years old, and that is not in a cemetery registered with the State Comptroller under the Cemetery Care Act [760 ILCS 100].

Section 4190.103 Coordination With Other Statutes

Exceptions to the need to acquire a permit do not constitute a release from ownership, curation, or other Sections of the Act or other Parts of this Chapter. However, archeologists or paleontologists conducting projects under other laws as listed in Section 8 of the Act or in this Section below, do not need to meet the certification requirements or need a permit under this Act. Persons conducting projects under those laws or exceptions shall meet the authorization and professional qualification requirements of those laws. The following is a list of those other laws and activities:

a) Work is not required to be conducted by a certified archaeologist or paleontologist, or under a permit issued pursuant to the Act or this Part, if:

1) the proposed work consists of archaeological survey and/or data recovery undertaken and agreed to in writing by the Agency pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470) or the activities are permitted pursuant to the Federal Surface Mining Control and Reclamation Act of 1977 (30 U.S.C.A. 1201 et seq.) or the rules and regulations promulgated thereunder or under any law, rule or regulation adopted by the State of Illinois thereunder.

2) the proposed work consists of archaeological survey and/or data recovery undertaken and agreed to in writing by the Agency pursuant to the Illinois State Agency Historic Resources Preservation Act [20 ILCS 3420]. However, when a State agency's monies are used to support an archaeological research project, a permit and these services of a certified archaeologist or paleontologist shall be required if there is no impending or planned development or construction.

3) the person conducting the activities is conducting activities under other permits, leases, licenses, or entitlements for use, when those activities are exclusively for purposes other than the excavation and/or removal of archaeological or paleontological resources. However, if during the course of such work, archaeological or paleontological resources are discovered, the provisions of Section 4190.104 of this Part are applicable.

4) the person is collecting on private lands.

5) the person is visiting, diving on, viewing, electronically recording, photographing, mapping, drawing, or otherwise recording archaeological or paleontological resources provided that such activities do not result in the disturbance of or unauthorized collection of these resources.

6) the work consists of surface collecting of aerially exposed

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

paleontological resources that are not covered by the primary rock body or sedimentary unit that has preserved the paleontological resources or removal of common invertebrate fossils with a small hand tool, such as a rock hammer, unless otherwise prohibited. Items collected under this exemption are not subject to claim by the State.

b) No permit is required for the research, service, or educational activities of certified paleontologists or licensed geologists, including persons under their supervision, employed by the Illinois State Geological Survey and Illinois State Museum of the Illinois Department of Natural Resources. Both the Museum and State Geological Survey are legislatively mandated to conduct geological research and educational programs.

c) No permit is required for the research, service, or educational activities of certified archaeologists employed at the Museum when conducting non-ground disturbing Phase I archaeological surveys on public lands. However, they shall comply with the notification and documentation requirements in Sections 6(c) and 8(a) of the Act.

d) Investigations by Agency Personnel. No permit is required for any certified archaeologist carrying out official Agency duties under the Act or this Part. However, the Agency shall comply with the notification and documentation requirements in Section 6(c) of the Act.

e) No Release from Requirements or Restrictions Under Other Laws. Under federal and other Illinois statutory, regulatory, or administrative authorities governing the use of public lands, authorizations may be required for activities which do not require a permit from the Agency. Any person wishing to conduct on public lands any activities related to, but believed to fall outside the scope of, the Act and this Part should consult the Agency or the unit of government believed to have authority with respect to such activity for the purpose of determining whether any authorization is required. No release from the need to acquire permission of any public land managing agency to conduct work on their land is granted by any authorization or exemption under the Act or this Part.

f) If the proposed work consists of archeological survey, testing or excavations undertaken and agreed to in writing by the Agency pursuant to the Human Skeletal Remains Protection Act [20 ILCS 3440], certification may be required.

Section 4190.104 Unexpected Discovery of Archaeological and Paleontological Resources on Public Lands

a) Notification of Agency. Any person knowing or having reasonable grounds to believe that archaeological or paleontological resources protected by the Act are being disturbed, destroyed, defaced, mutilated, removed, excavated or exposed shall, as soon as possible, notify the Director and a local representative of the responsible

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

land-managing agency.

b) Discovery of an Unregistered Grave Over 100 Years Old or an Unmarked Burial Site. Pursuant to the Human Skeletal Remains Protection Act [20 ILCS 3440], any activity that has disturbed or may disturb burial remains, a grave, any grave marker (including a mound), or any grave artifacts shall cease immediately upon discovery. The land managing agency and the Illinois Historic Preservation Agency shall be contacted immediately. If human skeletal remains have been disturbed or discovered, the county coroner must be notified within 48 hours. If the coroner determines the site is not a crime scene, then jurisdiction shall be under the Human Skeletal Remains Protection Act and under 17 Ill. Adm. Code 4170, as applicable. No activity that affects the location of burial remains, a grave, a grave marker (including a mound), or grave artifacts may resume without authorization.

c) Notification of Owner of Record of Statutory Requirements.

1) If a disturbance or impending disturbance of archaeological or paleontological resources is reported to the Director by a person other than the owner of record, the Director shall notify the owner of record of the site, by telephone or other telecommunications media if possible and by letter with delivery receipt service, of the reported or impending disturbance of the archaeological and paleontological resources, the requirement that a permit be obtained prior to such disturbance and the liabilities and penalties upon the owner of record for any violation of the Act.

2) In instances where the disturbance or impending disturbance of an archaeological or paleontological site for which specific legal boundaries have not been determined is reported to the Director, the Director may require all activity that may disturb the site to cease until the type of resources and specific legal boundaries can be determined in a method approved by the Director. Such activities shall not resume unless specifically authorized by the Director.

Section 4190.105 Review of Final Reports

The Agency shall review final reports within 45 days after receiving a complete draft. If the Agency does not find the report acceptable, it shall provide specific comments concerning any problem. The Agency will receive at least two copies of the final report. The land owning agency will receive at least one copy of the final report. The Museum will receive at least one copy of the final report, which will be among the materials provided to the Museum for curation. Final reports shall include the following:

a) Transmittal Statement that will substantiate:

1) The land on which the excavation occurred has been returned to its normal use or the intended use that was interrupted by the discovery and/or excavations of the archaeological or

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- paleontological resources.
- 2) Written evidence of the transfer of any excavated or removed archaeological or paleontological resources and project records to the Museum if that has already been accomplished, or a statement that final disposition at the Museum will be accomplished within 30 days.
 - b) The certified archeologist or paleontologist shall provide, at a minimum, the following information in the final report:
 - 1) Title Page. Each report shall have a title page that specifies the author, principal investigator, organization or association, contractor and source of funds, source of authorizations, title of report including the nature and location of work, and the month and year the report was completed.
 - 2) Abstract. The abstract shall include a clear summary indicating the purposes, location, results of field work and laboratory analysis, the new knowledge gained and any recommendations of the report. The Abstract shall include enough information that it could be quoted as a summary statement in preparing a statement regarding actions in compliance with the Act.
 - 3) Table of Contents. This is necessary only in the case of reports exceeding ten text pages in length. The table of contents shall provide page locations for the various report subdivisions as well as for figures, tables, references cited, and appendices.
 - 4) Introduction. The introduction shall briefly summarize the purpose of the investigations and the scope of work (contract requirements), including any agencies involved, dates of work, principal personnel, and land owners.
 - 5) Physical Setting as it Relates to an Understanding of the Nature of the Site and Resources. Information shall be presented on the geomorphology, soils, vegetation, current land use, potential for site preservation, and any other pertinent environmental data. A map showing the location of the project in the State shall be included as well as a United States Geological Survey (USGS) map and any additional maps that clarify site and project location and setting.
 - 6) Context. A summary of any previous archeological, paleontological and/or historical record of the site shall be provided. The focus shall be on providing information that would aid in understanding and evaluating the importance of the sites in the study. This section shall include a description of the information sources consulted including published materials, site files, unpublished manuscripts, and informants.
 - 7) Methods. An explicit statement of procedures used to collect and evaluate the site, field and laboratory data, and rationale for the particular procedures utilized shall be included in the report. The overall field strategy and the techniques used in the survey and/or excavation shall be specified. Maps showing the areas actually covered by on-the-ground inspection shall be

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- included. If more than one technique was used in the work, maps or text shall specify the techniques used in each subarea. Each map shall be visually clear and include a scale, North arrow, caption and key to symbols used. All typologies utilized and underlying assumptions governing methods must be clearly stated and explained. The techniques and equipment used in collecting and analyzing artifacts and associated data shall be specified (e.g., types of preservatives and adhesives used in stabilizing the material, types of instruments used in making measurements, statistical techniques employed, etc.).
- 8) Results and Synthesis. The results of field and/or laboratory investigations shall be presented (along with supportive data) and a synthesis of the work given. This section shall include site descriptions of all sites surveyed and excavated. The descriptions shall include, if applicable, a complete discussion of the site's historical, paleontological or archeological context. All research questions posed in the scope-of-work shall be addressed with the collected data and the contribution of this work to scientific advancement discussed. For archeological resources, the synthesis shall evaluate the sites, associated artifact assemblages, cultural/historical context of all of the former in relationship to the overall scope of the project and in relationship to pertinent cultural, historical, or archeological questions.
 - 9) Supporting Data. Supporting data for the report shall include lists and descriptions of material remains, illustrations of artifacts, fossils, grave features and pertinent human skeletal parts, photographs of the sites and the project area, and figures of excavation details (profiles, plan maps, etc.). Inventories and long lists may be put in an appendix.
 - 10) Recommendations. Recommendations regarding the preservation and/or the need for future work at the sites must be given. A discussion of the further research potential or archeological or paleontological materials recovered in excavations must be given.
 - 11) Supplementary Statements. The location where the materials and records have been deposited and are being or will be curated must be specified in the report. The nature of the records must also be noted.
 - 12) Bibliography. References to files, published and unpublished literature, and oral reports mentioned in the report must be included in the bibliography.
 - 13) Appendices. A complete copy of all official correspondence with the Illinois Historic Preservation Agency and the land owning or managing agency must be included. Items such as artifact inventories may be included in appendices at the discretion of the report writer.

Section 4190.106 Custody and Curation

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- a) Title to Archaeological and Paleontological Resources. Archaeological and paleontological resources excavated or removed from public lands shall remain the property of the State of Illinois (see 20 ILCS 3435/1). All artifacts, implements and material found or discovered by illegal disturbances or authorized or permitted field investigations, explorations, or excavations shall be delivered to representatives of the Museum within 30 days after the Agency acceptance of the final report unless arranged otherwise with the Museum.
- b) Archaeological and Paleontological Reports and Field Records. All original field records, notes, photographs and other project documentation shall be deposited at the Museum within 30 days after the Agency acceptance of the final report unless arranged otherwise with the Museum.
- c) Conservation. All archeological materials collected under this Part will be maintained in appropriate conditions as defined in 36 CFR 79, "Curation of Federally-Owned and Administered Archeological Collections" (1990). Paleontological materials collected under this Part will be curated following the same general standards established above for archeological collections.

SUBPART B: PROHIBITED ACTS; PENALTIES

Section 4190.201 Prohibited Acts; Notification of Agency

- a) Discovery of Archaeological or Paleontological Resources. Any person who discovers archaeological or paleontological resources or is aware of the illegal disturbance of such protected resources on public lands shall immediately notify the Director.
- b) No Disturbance Permitted. It is unlawful for any person, either by himself or through an agent, to knowingly disturb archaeological or paleontological resources on public land, except as authorized under the Act and this Part.
- c) No Sale or Other Transfer of Archaeological or Paleontological Resources. It is unlawful for any person, either by himself or through an agent, to sell, purchase, exchange, transport, possess, or receive any archaeological or paleontological resources protected by this Act with the knowledge that they have been collected or excavated in violation of this Act.

Section 4190.202 Criminal Penalties

- a) Class A Misdemeanor-Violations. Any violation of Section 3 of the Act not involving the disturbance of human skeletal remains is a Class A misdemeanor. A violator is subject to imprisonment for not more than one year and a fine not in excess of \$5,000. Any subsequent violation is a Class 4 felony. Each disturbance that takes place at an archaeological or paleontological site constitutes a separate offense.

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- b) Class 4 Felony-Violations. Any violation of Section 3 of the Act which involves the disturbance of human skeletal remains is a Class 4 felony and the violator shall be subject to imprisonment and a fine. Each disturbance of an unregistered grave, a grave marker or grave artifacts constitutes a separate offense. (See Section 5 of the Act.)

Section 4190.203 Civil Penalties

- a) Authority to Assess Civil Penalty. The Agency may assess a civil penalty against any person who has violated any prohibition contained in the Act, any regulation promulgated by the Agency pursuant to the Act or any term or condition included in a permit. Section 5 of the Act also allows civil damages to be assessed by the land managing agency.
- b) Notice of Violation. The Agency shall serve a notice of violation upon any person believed to be subject to a civil penalty, either in person or by registered or certified mail (return receipt requested). The Agency shall include in the notice:
 - 1) A concise statement of the facts believed to show a violation;
 - 2) A specific reference to the provisions of the Act or this Part allegedly violated;
 - 3) The amount of penalty proposed to be assessed, including any initial proposal to mitigate or remit where appropriate, or a statement that notice of a proposed penalty amount will be served after the damages associated with the alleged violation have been ascertained;
 - 4) Notification of the right to file a petition for relief pursuant to subsection (d) of this Section. The notice shall also inform the person of the right to seek judicial review of any final administrative decision assessing a civil penalty.
- c) Alternatives in Response to Notice of Violations. The person served with a notice of violation shall have 30 calendar days from the date of its service (or the date of service of a proposed penalty amount, if later) in which to respond. During this time the person may:
 - 1) Seek informal discussions with the Agency;
 - 2) File a petition for relief in accordance with subsection (d) of this Section;
 - 3) Take no action and await the Agency's notice of assessment;
 - 4) Accept in writing, or by payment of the proposed penalty, any mitigation or remission offered in the notice. Acceptance of the proposed penalty or mitigation or remission shall be deemed a waiver of the notice of assessment and of the right to request a hearing under subsection (g) of this Section.
- d) Petition for Relief. The person served with a notice of violation may request that no penalty be assessed, or that the amount be reduced, by filing a petition for relief with the Agency within 30 calendar days after the date of service of the notice of violation (or of a proposed

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

penalty amount, if later). The petition shall be in writing and signed by the person served with the notice of violation. If the person is a corporation, the petition must be signed by an officer authorized to sign such documents. The petition shall set forth in full the legal or factual basis for the requested relief.

e) Assessment of Penalty.

- 1) The Agency shall assess a civil penalty upon expiration of the period for filing a petition for relief, or upon completion of informal discussions, whichever is later.
- 2) The Agency shall take into consideration all available information, including information provided pursuant to subsections (c) and (d) of this Section or furnished upon further request by the Agency.
- 3) If the facts warrant a conclusion that no violation has occurred, the Agency shall so notify the person served with a notice of violation, and no penalty shall be assessed.
- 4) Where the facts warrant a conclusion that a violation has occurred, the Agency shall determine a penalty amount in accordance with Section 5 of the Act and Section 4190.205 of this Part.
- f) Notice of Assessment. The Agency shall notify the person served with a notice of violation of the penalty amount assessed by serving a written notice of assessment, either in person or by registered or certified mail (return receipt requested). The Agency shall include in the notice of assessment:
 - 1) The facts and conclusions from which it was determined that a violation did occur;
 - 2) The basis in Section 4190.205 for determining the penalty amount assessed and/or any offer to mitigate or remit the penalty; and
 - 3) Notification of the right to request a hearing, including the procedures to be followed, and to seek judicial review of any final administrative decision assessing a civil penalty.

g) Hearings.

- 1) Except where the right to request a hearing is deemed to have been waived as provided in subsection (c)(4), the person served with a notice of assessment may file a written request for a hearing with the Agency. The person shall enclose with the request for hearing a copy of the notice of assessment, and shall deliver the request as specified in the notice of assessment, personally or by registered or certified mail (return receipt requested).
- 2) A person served with notice must deliver a written request for a hearing within 30 days after the date of service of the notice of assessment, or shall be deemed to have waived the right to a hearing.

h) Final Administrative Decision.

- 1) When the person served with a notice of violation has accepted the penalty pursuant to subsection (c)(4) of this Section, the

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

notice of violation shall constitute the final administrative decision;

- 2) When the person served with a notice of assessment has not filed a timely request for a hearing pursuant to subsection (g)(1) of this Section, the notice of assessment shall constitute the final administrative decision;
- 3) When the person served with a notice of assessment has filed a timely request for a hearing pursuant to subsection (g)(1) of this Section, the decision resulting from the hearing or any applicable administrative appeal therefrom shall constitute the final administrative decision.
 - i) Payment of Penalty.
 - 1) The person assessed a civil penalty shall have 30 calendar days from the date of issuance of the final administrative decision in which to make full payment of the penalty assessed, unless a timely request for appeal has been filed.
 - 2) Upon failure to pay the penalty, the Agency Director may request the Attorney General to institute a civil action to collect the penalty in a court for any district in which the person assessed a civil penalty is found, resides, or transacts business. Where the Agency is not represented by the Attorney General, a civil action may be initiated by the State's Attorney of the county in which the violation occurred.
 - j) Other Remedies Not Waived. Assessment of a penalty under this Section shall not be deemed a waiver of the right to pursue other available legal or administrative remedies.
 - k) Injunctive Remedy. The Agency may seek injunction or other relief as the Agency deems appropriate for any violation of the Act or this Part.

Section 4190.204 Civil Damages

- a) Generally. Persons convicted of a violation of Section 3 of the Act shall also be liable for civil damages to be assessed by the Agency. Civil damages may include:
 - 1) forfeiture of any and all equipment used in disturbing the protected archaeological or paleontological resources;
 - 2) any and all costs incurred in cleaning, restoring, analyzing, accessioning and curating the recovered materials;
 - 3) any and all costs associated with restoring the land to its original contour or the site to its original condition;
 - 4) the archaeological or paleontological value, the cost of restoration and repair, and any and all costs associated with recovery of data, and analyzing, publishing, accessioning and curating materials when the prohibited activity is so extensive as to preclude the restoration of the site;
 - 5) any and all costs associated with the reinterment of human skeletal remains;

ILLINOIS HISTORIC PRESERVATION AGENCY
NOTICE OF ADOPTED RULES

- 6) any and all costs associated with the determination and collection of the civil damages. (See Section 5(a) through (e) of the Act.)
- 7) Examination and analysis of the archaeological or paleontological resources, human remains, grave artifacts or grave markers, including recording remaining archaeological or paleontological information, where necessitated by disturbance, in order to salvage remaining values which cannot be otherwise conserved;
- 8) Preparation of reports relating to any of the above activities.

Section 4190.205 Penalty Amounts

- a) Maximum Amounts. The maximum penalty for any misdemeanor violation of Section 3 of the Act is \$5,000 per disturbance. The maximum penalty for any felony violation of Section 3 is \$10,000 per disturbance.
- b) Determination of Penalty Amount, Mitigation, and Remission. The Agency may assess a penalty amount less than the maximum amount of penalty and may offer to mitigate or remit the penalty.
- 1) Determination of the penalty amount and/or a proposal to mitigate or remit the penalty may be based upon any of the following factors:
- A) Agreement by the person being assessed a civil penalty to return to the State all archaeological or paleontological resources removed;
 - B) Agreement by the person being assessed a civil penalty to assist the Director in activity to preserve, restore, or otherwise contribute to the protection and study of archaeological or paleontological resources in Illinois;
 - C) Agreement by the person being assessed a civil penalty to provide information which will assist in the detection, prevention, or prosecution of violations of the Act;
 - D) Demonstration of hardship or inability to pay, provided that this factor shall only be considered when the person being assessed a civil penalty has not been found to have previously violated the Act or regulations promulgated thereunder;
 - E) Determination that the person being assessed a civil penalty did not willfully commit the violation;
 - F) Determination that the proposed penalty would constitute excessive punishment under the circumstances;
 - G) Determination of other mitigating circumstances appropriate to consideration in reaching a fair and expeditious assessment.
- 2) When the penalty is for a violation which may have had an effect on a known religious site on public lands, the Director should consult with and consider the interest of the specific affected group prior to proposing to mitigate or remit the penalty.

Section 4190.206 Rewards

Section 3.2 of the Act provides for rewards of up to \$2,000 to be made to persons who furnish information which leads to arrest and conviction for a criminal violation. The Director may certify to the State Comptroller that a person is eligible to receive payment. Officers and employees of federal, tribal, State, or local government who furnish information or render service in

ILLINOIS HISTORIC PRESERVATION AGENCY
NOTICE OF ADOPTED RULES

- a) Deposit of Penalty Amounts to Designated Funds. When civil damages are recovered through the Attorney General, the proceeds shall be deposited into the Historic Sites Fund. When civil damages are recovered through the State's Attorney, the proceeds shall be deposited into the county funds designated by the county board. (See Section 5 of the Act.)
- b) Archaeological or Paleontological Value. For purposes of this Part, the archaeological or paleontological value of any material remains of past human life or activities, human remains, grave artifacts or grave markers, or the material remains of past life or traces involved in a violation of the prohibitions in the Act, this Part or conditions of a permit shall be the value of the information associated with the archaeological or paleontological resource. This value shall be appraised in terms of the costs of the retrieval of the scientific information which would have been obtainable prior to the violation. These costs may include, but need not be limited to, the cost of preparing a research design, conducting field work, carrying out laboratory analysis, and preparing reports as would be necessary to realize the information potential.
- c) Cost of Restoration and Repair. For purposes of this Part, the cost of restoration and repair of archaeological or paleontological resources, human remains, grave artifacts or grave markers damaged as a result of a violation of prohibitions or conditions pursuant to the Act or this Part, shall be the sum of the costs already incurred for emergency restoration or repair work, plus those costs projected to be necessary to complete restoration and repair, which may include, but need not be limited to, the costs of the following:
- 1) Reconstruction of the archaeological or paleontological materials, human remains, grave artifacts or grave markers;
 - 2) Stabilization and conservation of the archaeological or paleontological materials, human remains, grave artifacts or grave markers;
 - 3) Ground contour reconstruction and surface stabilization;
 - 4) Research necessary to carry out reconstruction or stabilization;
 - 5) Physical barriers or other protective devices necessitated by the disturbance of archaeological or paleontological resources, human remains, grave artifacts or grave markers to protect them from further disturbance;
 - 6) Examination and analysis of the archaeological or paleontological resources, human remains, grave artifacts or grave markers, including recording remaining archaeological or paleontological information, where necessitated by disturbance, in order to salvage remaining values which cannot be otherwise conserved;
 - 7) Reinterment of human remains in accordance with religious or tribal custom and State or local tribal law, where appropriate as

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

the performance of their official duties, and persons who have provided information under Section 4190.205(b)(1)(C), shall not be certified eligible to receive payment of rewards.

SUBPART C: ILLINOIS INVENTORY OF ARCHAEOLOGICAL AND PALEONTOLOGICAL SITES

Section 4190.301 Purpose of Inventory

In order to ensure that the scientific knowledge about prehistoric, historic, and submerged archaeological sites and paleontological sites with their associated historic, cultural, archaeological, and paleontological resources are not willfully or unnecessarily destroyed or lost, and to preserve information with respect to their location and condition, the Museum shall maintain an Illinois Inventory of Archaeological and Paleontological Sites, and the Agency shall cooperate in the development and maintenance of the inventory, as required in Section 10 of the Act. Such site information shall also include site data generated pursuant to the Illinois Inventory of Burial Sites (see 17 Ill. Adm. Code 4170) when the site contains human remains, graves, grave markers (including mounds) or grave artifacts. The Inventory shall indicate the accurate location of each known archaeological or paleontological site.

Section 4190.302 Inventorying of Archaeological and Paleontological Sites

a) The Inventory Form shall contain the following information, to the extent known:

- 1) The name and address of the individual completing the form.
 - 2) Documentation of the site.
 - 3) Photographic prints of each site with burials, including a black and white photograph of each individual mound, to document its current condition. The photograph shall be either an original print at least 5 inches by 7 inches or an original contact sheet and the negatives.
 - 4) A township, range and section description and Universal Transverse Meridian coordinates of the site's location, including sufficient buffer land necessary to protect the site until its specific legal boundaries are defined.
 - 5) A sketch showing the known area of the site and any salient observable features.
 - 6) A copy of the pertinent United States Geological Survey 7.5 minute topographic quadrangle map noting the location of the site.
 - 7) References to previous recorded information on the site.
- b) Documentation of a Site. Documentation of a site may include, but is not limited to, the following:
- 1) Physical evidence, as demonstrated by archaeological, paleontological or written historical reports showing the presence of archaeological or paleontological resources, or human skeletal remains, graves or grave markers;

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- 2) Adequate historical documentation;
- 3) Oral depositions or affidavits; or
- 4) Any additional information requested by the Agency.

Section 4190.303 Release of Site Information

Following Section 10 of the Act, information contained in the Illinois Inventory of Archaeological and Paleontological Sites may only be released in accordance with the following:

- a) Professional archaeologists or paleontologists may have access to site and location information for their respective fields as needed for their specific project by request to the Agency Archaeologist responsible for the Inventory.
- b) Governmental bodies may have access to information and location of sites located within lands that they own or manage for the purposes of protecting, preserving and managing those archaeological and paleontological resources or as needed for specific planning or management needs by written request to the Agency Archaeologist responsible for the Inventory. These governmental bodies shall not release this information to any other person or organization without the authorization of the Agency.
- c) Release of general information (not including site location and ownership) to the public about archaeological or paleontological resource sites listed in the Illinois Inventory of Archaeological and Paleontological Sites shall generally be available, but the Agency shall not release such information when it is believed that such a release may endanger the resource.
- d) Site location information and site ownership (when it would help indicate site location) shall not be released. Information about the character of a site that would help indicate site location shall not be released.
- e) Release of information under this Section shall be subject to an applicable fee for duplication and processing. The fee schedule shall be in accordance with Agency rule (2 Ill. Adm. Code 1951.Appendix B).

SUBPART D: CERTIFICATION OF PROFESSIONAL ARCHAEOLOGISTS AND
PALEONTOLOGISTS

Section 4190.401 Purpose

This Subpart establishes minimum standards of education and experience for archaeologists and paleontologists to qualify as professionals for the purpose of conducting activities on public land under the Act and this Part. It is the purpose of this Part to ensure that individuals who have the proper education, training, and experience are engaged in the investigation of the State's limited archaeological and paleontological resources.

Section 4190.402 Certification Requirements

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

All supervisory personnel carrying out paleontological activities or archaeological field investigations pursuant to this Part must be certified by the Illinois Historic Preservation Agency. Persons need only meet the certification requirements for the type of site and level of work (as applicable) for the specific project they intend to conduct.

a) All field personnel who perform any supervisory archaeological field activities covered under this Part must be certified, at a minimum, as supervisory archaeological field technicians. Persons certified only at this level shall not be the persons in charge of a project or of the field work. Persons certified at this level may assist in the supervision of field work.

b) Persons responsible for and in charge of archaeological field investigations must be certified for the appropriate kind of site and at the appropriate level as follows:

1) Level I (as defined in Section 4190.405(d)(1) of this Part) in order to be qualified to supervise Phase I initial reconnaissance survey and identification-level archaeological field investigations, which are projects involving pedestrian survey and minimal subsurface testing such as shovel-testing and coring to provide preliminary data concerning the location, size, density, and periods of occupation of sites.

2) either a Level II prehistoric or Level III historic archeologist depending on the type of site occupation in order to be qualified to supervise Phase II test excavation projects, which are limited to scale excavation archaeological field investigations involving subsurface testing to evaluate the physical context, age, function, integrity and significance of archaeological resources.

3) either a Level III prehistoric or Level III historic archeologist depending on the type of site occupation in order to be qualified to supervise Phase III excavation projects, which are total mitigation data recovery or large-scale complete excavation field projects designed to recover and interpret maximum archaeological information from a site area.

c) Persons responsible for and in charge of underwater archaeological field activities must meet the requirements to be certified as a professional underwater archaeologist.

d) Persons responsible for and in charge of State agencies' archaeological compliance and research programs must meet the same qualifications as an Agency Archeologist as defined in Section 4190.102 of this Part.

e) Persons responsible for and in charge of paleontological investigations conducted under the Act or this Part must meet the requirements of Section 4190.407 of this Part.

Section 4190.403 Application Procedures

An individual wishing to apply for certification as a professional archaeologist or paleontologist under this Part shall submit a letter of

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

request indicating the level of certification requested along with appropriate documentation to the Chief Archaeologist, Illinois Historic Preservation Agency, Preservation Services Division, 500 East Madison Street, Springfield IL 62701. Documentation shall be of sufficient detail to demonstrate the applicant fulfills the requirements or the requested certification level and shall include a copy of a certified university transcript indicating the applicant's fulfillment of the requirements of the appropriate degree. All applicants for archaeological certification shall submit with their application documentation a signed statement indicating that they shall:

a) Abide by the Illinois Professional Archaeologists "Code of Ethics" and "Standards of Research Performance" as presented in Subpart E of this Part.

b) Actively participate in the recording of archaeological resources by submitting new and updated site information regarding their own or their organization's work to the Illinois Inventory of Archaeological and Paleontological Sites and the Illinois Inventory of Burial Sites in a timely manner that at a minimum shall be on a biannual basis.

c) Assist in the protection of archaeological resources by providing information to the Agency on any potentially illegal project or activity on public lands that may endanger such resources.

d) Not enter into any contractual or other agreement that prevents them from providing information on archaeological or paleontological resources to the Agency.

e) Provide as part of their application documentation a full disclosure of all overdue archaeological reports, associated site forms, and uncured collections and documentation within the State of Illinois for which the individual has a contractual or legal responsibility to complete and submit. This information shall include the contracting agency/party, project history, report and curation status, and projected plans for completion, including the concurrence of the party for whom the project was done.

Section 4190.404 Requirements for Supervisory Archaeological Field Technician Certification

A State certified professional supervisory archaeological field technician must, at a minimum:

a) have been awarded a bachelor's degree, from an accredited college or university, in archaeology, anthropology, or another germane discipline, including, but not limited to, history, classics or geoecheology, and:

1) have 16 weeks of supervised field training in time blocks of at least 4 weeks duration. At least half of this experience must be in field investigation excavation (Phase II or Phase III), and

2) have 8 weeks of supervised laboratory analysis or curation experience, which may be accumulated on a part-time basis; or

b) have an unrelated bachelor's degree from an accredited college or university and 12 months of professional archaeological field

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

experience in the Mid-continental Region under the supervision of someone meeting the qualifications of Section 4190.405. At least 4 months of this experience must be in field investigation excavation (Phase II or Phase III).

Section 4190.405 Requirements for Supervisory Professional Prehistoric or Historic Field Archaeologist Certification

In addition to meeting the requirements of Section 4190.404, a State certified supervisory professional prehistoric or historic field archaeologist must meet all of the following:

- a) have fulfilled the requirements of either subsection (a)(1) or (a)(2) below:
 - 1) a graduate degree, from an accredited college or university, in archaeology, anthropology, or another germane discipline, including, but not limited to, history, classics or geoarchaeology; or
 - 2) fulfilled the requirements of Section 4190.404 as well as having successfully completed an additional 36 months of professional field investigation experience under the direction of persons that the Agency has determined meet the qualifications of Section 4190.405 of this Part, including at least 18 months of field supervisory experience, by December 31, 1999. The individual's 36 months of experience must be within historic archaeology to be certified as a Historic Field Archaeologist or within Mid-continental Region prehistoric archaeology to be certified as a Prehistoric Field Archaeologist.
- b) have designed and executed an archaeological study either in prehistoric or historic archaeology as evidenced by an M.A. or M.S. thesis, Ph.D. dissertation, or a report equivalent in scope and quality. It is recognized that in some cases an individual may have prepared several small reports that, cumulatively, are comparable to an M.A. or M.S. thesis. If the applicant's name does not appear on a document she/he authored, a letter verifying the actual authorship must be solicited and submitted from the person, firm, or agency which issued the report. In any case, the reports must indicate substantive analysis based on an explicitly theoretical orientation. A long but purely descriptive report is not considered equivalent.
- c) have access to facilities and services or be associated with an organization that provides, as appropriate to the scope of the project, the necessary:
 - 1) office space and furniture;
 - 2) laboratory space, furniture, and equipment for analysis of specimens and data;
 - 3) special facilities such as darkroom, drafting facilities, conservation laboratory, etc.;
 - 4) permanent allocation of space, facilities, and equipment for proper maintenance of collections and records located within the

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

State of Illinois;

- 5) field equipment such as vehicles, surveying instruments, etc.;
- 6) research library;
- 7) administrative and fiscal control services;
- 8) security system;
- 9) technical specialists such as photographers, curators, conservators, etc.; and
- 10) report production services.

Individuals or organizations lacking certain facilities or services may satisfy the requirements through cooperative agreements with other organizations. The archaeologist must furnish a letter detailing access to facilities meeting the above conditions, or if associated with an organization, a letter from an authorized organizational official detailing the applicant's association and indicating the organization's commitment to providing the above conditions.

d) additionally fulfill the requirements of at least one of the following levels:

- 1) Level I - Phase I Survey Supervision.
 - A) Mid-continental Region 'archaeological survey' experience including 24 weeks of field experience at a supervisory level;
 - B) the completion of Phase I archaeological reports meeting the Secretary of Interior's "Standards and Guidelines for Archeological Documentation" (48 FR 44734 (1983)) and that have been accepted by the Agency; and
 - C) demonstrated experience in Phase I project administration, implementation of cultural resource law/regulations, fiscal management, and successful project and report completion.
- 2) Level II - Phase II Testing Excavation Supervision.
 - A) Mid-continental Region historic or prehistoric archaeological excavation experience including 24 weeks of field experience at a supervisory level;
 - B) the completion of Phase II test excavation archaeological reports meeting the Secretary of Interior's "Standards and Guidelines for Archeological Documentation" (48 FR 44734 (1983)) and that have been accepted by the Agency; and
 - C) demonstrated experience in Phase II project administration, implementation of cultural resource law/regulations, fiscal management, and successful project and report completion.
- 3) Level III - Phase III Mitigation Excavation Supervision. Meet Level I or Level II requirements, plus:
 - A) an additional 24 weeks of supervisory-level excavation experience;
 - B) the completion of Phase III excavation archaeological reports meeting the Secretary of Interior's "Standards and Guidelines for Archeological Documentation" (48 FR 44734 (1983)) and that have been accepted by the Agency; and
 - C) demonstrated experience in Phase III project administration,

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

implementation of cultural resource law/regulations, fiscal management, and successful project and report completion.

Section 4190.406 Requirements for Certified Professional Underwater Archaeologist

- At a minimum, a State certified professional underwater archaeologist must:
- Fulfill the requirements for a certified supervisory archaeological field technician.
 - Have one year of relevant North American freshwater lake and river underwater field and related laboratory experience including at least two weeks of underwater survey techniques, 24 weeks of supervised underwater fieldwork, 20 weeks of supervisory underwater archaeological fieldwork, 8 weeks supervised training in the application of stabilization and conservation methods as they pertain to waterlogged materials, and the design and execution of an underwater archaeological study.
 - Have one year of experience in the operation of remote sensing devices in an underwater environment for the purposes of discovery and evaluation of archaeological resources. Six months of this time must be supervised by a specialist in the use of underwater remote sensing devices.
 - Provide documentation demonstrating diving competency (including current certification by a recognized national diving organization).
 - Demonstrate, through fieldwork and reports, knowledge of both archaeological and archival data pertaining to historic watercraft and shipping on North American lakes and rivers.

Section 4190.407 Requirements for a Certified Professional Paleontologist

At a minimum, a State certified professional paleontologist must be a licensed professional geologist under the auspices of the Professional Geologist Licensing Act [225 ILCS 745] that has a specialization in paleontology or all of the following:

- have been awarded a graduate degree, from an accredited organization, in paleontology or another germane discipline, including, but not limited to, geology, biology or zoology, with a specialization in paleontology.
- have designed and executed a paleontological study as evidenced by an M.A. or M.S. thesis, Ph.D. dissertation, or a report equivalent in scope and quality. It is recognized that in some cases an individual may have prepared several small reports that, cumulatively, are comparable to an M.A. or M.S. thesis. If the applicant's name does not appear on a document that a person authored, a letter verifying the actual authorship must be solicited and submitted from the person, firm, or agency that issued the report. In any case the reports must indicate that the person has the ability to conduct the field work with appropriate methods and complete the report as outlined in this

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- Section.
- have access to facilities and services or be associated with an organization that provides, as appropriate to the scope of the project, the necessary:
 - office space and furniture;
 - laboratory space, furniture, and equipment for analysis of specimens and data;
 - special facilities such as darkroom, drafting facilities, conservation laboratory, etc.;
 - permanent allocation of space, facilities, and equipment for proper maintenance of collections and records located within the State of Illinois;
 - field equipment such as vehicles, surveying instruments, etc.;
 - research library;
 - administrative and fiscal control services;
 - security system;
 - technical specialists such as photographers, curators, conservators, etc.; and
 - report production services.
- Individuals or organizations lacking certain facilities or services may satisfy these requirements through cooperative agreements with other organizations. The paleontologist must furnish a letter detailing access to facilities meeting the requirements of this subsection (c), or if associated with an organization, a letter from an authorized organizational official detailing the applicant's association and indicating the organization's commitment to meeting the requirements of this subsection (c).

Section 4190.408 Certification Approval

Upon receipt of an application for certification as a professional archaeologist, the Agency Archaeologist shall review the information provided and within 30 days after the application receipt make a written recommendation to the Director regarding the approval or denial of the application. Upon receipt of an application for certification as a professional paleontologist, the Agency Archaeologist shall forward the application to a certified paleontologist in the Agency for review. If the Agency does not employ a certified paleontologist, then the Agency shall request the assistance of a State agency that does employ a certified paleontologist. Within 30 days after the application receipt the Agency Archaeologist shall make a written recommendation to the Director regarding the approval or denial of the application. Applicants for certification as professional archaeologists or paleontologists shall be approved at the appropriate level if the Director finds the applicant has provided sufficient documentation and meets the qualifications for certification.

Section 4190.409 Denial of Certification

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

Applicants for certification as professional archaeologists or paleontologists shall be denied if the Director, upon the written recommendation of the Agency Archaeologist, finds that the applicant has provided insufficient documentation, has willfully misrepresented facts, or does not meet the minimum standards for certification.

Section 4190.410 Suspension or Revocation of Certification

To ensure that the highest professional standards are followed, the Agency shall maintain a record on the professional activities of all certified archaeologists and paleontologists. This record shall include copies of current resumes, all correspondence related to an individual's professional competence, ethical activities, and other matters relevant to this Part. Certification shall be suspended or revoked if the Director finds that a certified professional archaeologist or paleontologist:

- a) has willfully misrepresented facts in the application documentation.
- b) has not satisfactorily complied with conditions of permits issued under the Act or under the Human Skeletal Remains Protection Act.
- c) has not satisfactorily complied with conditions of archaeological scopes-of-work or data recovery plans reviewed and approved by the Agency pursuant to the Illinois State Agency Historic Resources Preservation Act or the National Historic Preservation Act.
- d) has not satisfactorily participated in reporting sites to the Illinois Inventory of Archaeological and Paleontological Sites or the Illinois Inventory of Burial Sites.
- e) has demonstrated a consistent pattern of incompetence in the performance of field investigations, analysis and/or the completion of required reports indicating the inability to perform the responsibilities of a certified professional. A documented history of incompetence must be demonstrated by the Agency prior to taking action to suspend or revoke any level of certification.
- f) has demonstrated a consistent pattern of not complying with the stipulations in Subpart E of this Part. A documented history of noncompliance must be demonstrated by the Agency prior to taking action to suspend or revoke any level of certification.
- g) has willfully engaged in actions that are harmful to protected archaeological or paleontological resources.
- h) has not maintained a fieldwork environment that is safe to crew, land-management staff, and the public.

Section 4190.501 Hearings and Appeals

Hearings and appeals shall be conducted in accordance with standard Agency rules.

SUBPART E: ILLINOIS PROFESSIONAL ARCHAEOLOGISTS' CODE OF ETHICS AND
STANDARDS OF RESEARCH PERFORMANCE

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

Section 4190.601 Purpose

The archaeological resources of Illinois are an important and irreplaceable part of the State's heritage and identity. The State has a responsibility to ensure that only those individuals with appropriate regional training and expertise and the highest professional standards be engaged in the recovery, investigation, and analysis of such resources. Archaeology is a profession, and the privilege of professional practice in Illinois requires professional ethics and professional responsibility, as well as professional competence, on the part of each practitioner.

Section 4190.602 Code of Ethics

a) Individuals certified under this Part as Illinois Professional Archaeologists shall:

- 1) Recognize that the archaeological resource base and the knowledge gained from it belongs to, and is held in trust for, all peoples;
 - 2) Recognize a commitment to represent archaeology and its research results to the public in a responsible manner;
 - 3) Actively support conservation of the archaeological resource base;
 - 4) Be sensitive to, and respect the legitimate concerns of, groups whose culture histories are the subject of archaeological investigations;
 - 5) Avoid and discourage exaggerated, misleading, or unwarranted statements about archaeological matters that might induce others to engage in unethical or illegal activities;
 - 6) Support and comply with the terms of the UNESCO Convention on the means of prohibiting and preventing the illicit import, export, and transfer of ownership of cultural property, as adopted by the General Conference, 14 November 1970, Paris;
 - 7) Give appropriate credit for work done by others;
 - 8) Stay informed and knowledgeable about developments in one's field of specialization;
 - 9) Accurately, and without undue delay, prepare and properly disseminate a description of research done and its results;
 - 10) Communicate and cooperate with colleagues having common professional interests;
 - 11) Know and comply with all federal, State, and local laws, ordinances, and regulations applicable to his or her archaeological research and activities within the State of Illinois;
 - 12) Report knowledge of all violations of this Part to the proper authorities;
 - 13) Refuse to comply with any request or demand of an employer or client that conflicts with this Part.
- b) Individuals certified under this Part as Illinois Professional Archaeologists shall not:

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- 1) Engage in any illegal or unethical conduct involving archaeological matters or knowingly permit the use of their names in support of any illegal or unethical activities involving archaeological matters;
- 2) Give a professional opinion, make a public report, or give legal testimony involving archaeological matters without being appropriately informed concerning the topic;
- 3) Engage in conduct involving dishonesty, fraud, deceit or misrepresentation about archaeological matters;
- 4) Undertake any research that affects the archaeological resource base for which they are not qualified;
- 5) Falsely or maliciously attempt to injure the reputation of another archaeologist;
- 6) Commit plagiarism in oral or written communication;
- 7) Refuse a reasonable request from a qualified colleague for research data;
- 8) Participate in any actions that are in violation of this Part.

Section 4190.603 Standards of Research Performance

A certified Illinois professional archaeologist has the responsibility to design and conduct projects that will add to the understanding of past cultures and/or that will develop better theories, methods, or techniques for interpreting the archaeological record, while causing minimal attrition of the archaeological resource base. In the conduct of that research the following minimal standards shall be followed:

- a) The archaeologist has a responsibility to prepare adequately for any project in which he or she is involved. Archaeologists must:
 - 1) Assess the adequacy of their qualifications for the demands of the project and minimize inadequacies by acquiring additional expertise, by bringing in associates with needed qualifications, or by modifying the scope of the project;
 - 2) Inform themselves of relevant previous research, records, and documents;
 - 3) Develop a scientific plan of research that specifies the objectives of the project, takes into account previous relevant research, employs a suitable methodology, and provides for economical use of the resource base consistent with the objectives of the project;
 - 4) Ensure the availability of adequate and competent staff and support facilities to carry the project to completion and of adequate curatorial facilities for specimens and records;
 - 5) Comply with all legal requirements, including, without limitation, obtaining all necessary governmental permits and necessary permission from landowners and other persons as required by law.
- b) In conducting projects, the archaeologist must follow the scientific plan of research, except to the extent that unforeseen circumstances

ILLINOIS HISTORIC PRESERVATION AGENCY

NOTICE OF ADOPTED RULES

- warrant its modification.
- c) Procedures for field survey or excavation must meet the following minimum standards:
 - 1) Maintain a system for identifying and recording the provenience for all collected specimens.
 - 2) Uncollected entities such as environmental or cultural features, depositional strata, and the like, must be fully and accurately recorded by appropriate means, and their location recorded.
 - 3) The methods employed in data collection must be fully and accurately described. Significant stratigraphic and/or associational relationships among artifacts, other specimens, and cultural and environmental features must also be fully and accurately recorded.
 - 4) All records should be intelligible to other archaeologists. If terms lacking commonly held referents are used they should be clearly defined.
 - 5) Insofar as possible, the interests of other researchers should be considered.
 - d) During accessioning, analysis, and storage of specimens and records in the laboratory the archaeologist must take precautions to ensure that correlations between specimens and field records are maintained so the provenience, contextual relationships and the like are not confused or obscured.
 - e) Specimens and research records resulting from a project must be deposited at an institution with permanent curatorial facilities. All specimens and research records collected from projects conducted on public lands under the Act or this Part shall be deposited in the Illinois State Museum.
 - f) The archaeologist has responsibility for dissemination of the results of research to the interested public and professional parties. Results reviewed as contributions to substantive knowledge of the past or to advancements in theory, method or technique shall be disseminated by appropriate means such as a full descriptive report or comparable publications to ensure that the basic data is available to interested parties.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Boat and Snowmobile Registration and Safety
- 2) Code Citation: 17 Ill. Adm. Code 2010
- 3) Section Numbers: Adopted Action:
2010.60 Amendments
2010.80 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 3-1, 3-2, 3-3, 4-1 and 9-1 of the Boat Registration and Safety Act [625 ILCS 45/3-1, 3-2, 3-3, 4-1 and 9-1] and the Snowmobile Registration and Safety Act [625 ILCS 40].
- 5) Effective Date of Rulemaking: November 17, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 14, 1997
- 9) Notice of Proposal Published in Illinois Register: August 29, 1997, 21 Ill. Reg. 12079
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: In Section 2010.80(c), the subsections were restructured for clarity.

In Section 2010.80(c)(2), "the person reviewing registration via the Internet of 1-800 phone system" was removed.

In Section 2010.80(c)(3), ", the person renewing the registration" was removed.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part is being amended to add language clarifying when reports must be filed following boat and snowmobile accidents and to add information outlining the Internet and 1-800 phone system renewal process.
- 16) Information and questions regarding these adopted amendments shall be

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

directed to:

Name: Jack Price
 Address: Department of Natural Resources
 524 S. Second Street, Room 430
 Springfield, Illinois 62701-1787
 Telephone: 217/782-1809

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER e: LAW ENFORCEMENT

PART 2010

BOAT AND SNOWMOBILE REGISTRATION AND SAFETY

Section

- 2010.20 Form of Application for Boat Registration and Title
- 2010.25 Form of Application for Snowmobile Registration
- 2010.30 Numbering Pattern to be Used for Boat Registration
- 2010.35 Numbering Pattern to be Used for Snowmobile Registration
- 2010.40 Display of Number on Boats
- 2010.50 Change of Address (Repealed)
- 2010.60 Reports in Case of Accident
- 2010.70 Statutory Authority (Repealed)
- 2010.80 Renewals for Boat and Snowmobile Registration
- 2010.90 Authorized Dealers

AUTHORITY: Implementing and authorized by Sections 3-1, 3-2, 3-3, 4-1 and 9-1 of the Boat Registration and Safety Act [625 ILCS 45/3-1, 3-2, 3-3, 4-1 and 9-1] and the Snowmobile Registration and Safety Act [625 ILCS 40].

SOURCE: Filed January 13, 1960; codified at 5 Ill. Reg. 10660; amended at 8 Ill. Reg. 7801, effective May 23, 1984; amended at 10 Ill. Reg. 9769, effective May 21, 1986; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 9028, effective June 26, 1997; amended at 21 Ill. Reg. 15235, effective Nov 17 1997.

Section 2010.60 Reports in Case of Accident

- a) Whenever a boat is involved in a collision or accident causing injury or death to persons or property damage over \$500, or a snowmobile is involved in a collision or accident causing injury or death to persons or property damage over \$100, a report must be made to the Department. All accidents which result in death or serious injury to any person shall be reported by the operator within 48 hours. All other accidents shall be reported within 5 days.
- b) Every Boating Accident Report shall include the following:
 - 1) The numbers and/or names of vessels involved
 - 2) The locality where the accident occurred
 - 3) The time and date when the accident occurred
 - 4) Weather and water conditions at time of accident
 - 5) The name, address, age, and boat operating experience of the operator of the reporting vessel
 - 6) The names and addresses of operators of other vessels involved
 - 7) The names and addresses of the owners of vessels or property

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

involved

- 8) The names and addresses of any person or persons injured or killed
- 9) The nature and extent of injury to any person or persons
- 10) A description of damage to property (including vessels) and estimated cost of repairs
- 11) A description of the accident (including opinions as to the causes)
- 12) The length, propulsion, horsepower, fuel and construction of the reporting vessel
- 13) Names and addresses of known witnesses
- 14) Information pertaining to the use or availability of life saving devices
- c) Every snowmobile accident report shall include the following:
 - 1) The locality where the accident occurred
 - 2) The time and date of the accident
 - 3) Weather and snow conditions at time of accident
 - 4) Type of terrain
 - 5) The name, address, age, and operating experience of operator of the snowmobile.
 - 6) The names and addresses of owners of the snowmobile involved
 - 7) The names and addresses of any person or persons injured or killed
 - 8) The nature and extent of injury to any person or persons
 - 9) A description of damage to property
 - 10) Nature of operation at time of accident
 - 11) A description of accident
 - 12) Operator's certificate number
 - 13) Names and addresses of known witnesses
 - 14) Description of snowmobiles
 - 15) Nature of assistance furnished
 - 16) Persons on snowmobile other than operator
 - 17) Names and address of operator and registration of other vehicle involved
- d) Boat and snowmobile accidents shall be reported on forms provided by the Department. Accident report forms may be obtained from the Department by calling 217/782-6431 or writing to:

Department of Natural Resources
Division of Law Enforcement
524 S. Second Street
Springfield, IL 62701-1787

(Source: amended Nov 17 1997 at 21 Ill. Reg. 15235, effective 15235)

Section 2010.80 Renewals for Boat and Snowmobile Registration

- a) Renewal fees for boats shall be as set out in Section 3-2 of the Boat

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Registration and Safety Act [625 ILCS 45/3-2].

b) Renewal fees for snowmobiles shall be \$12 for a 3 year period.

c) Persons wishing to renew three year registrations via the Internet or the 1-800 phone system:

1) Must:

- A) Make the renewal through the Department's Internet Home Page or by phoning a Department approved 1-800 telephone number.
- B) Using the existing registration card, enter the IL registration number, HULL ID, and Use Code registered for the craft/snowmobile.
- C) Enter necessary address change information.
- D) Make payment via electronic commerce (example: credit card).

2) May be charged a convenience fee by the contract service provider not to exceed \$4 to cover the cost of the Internet or 1-800 phone transaction. Renewals may be accomplished by mailing the application accompanied by check or money order with no convenience fee charges. Mail-in renewals take 2-3 weeks processing time, plus delivery through the mail.

3) At the conclusion of the transaction, will immediately receive a transaction confirmation number or new Internet registration card. This affords the person the ability to then immediately pursue boating or snowmobile activities. Both the Internet and phone systems offer immediate registration verification for law enforcement.

(Source: Amended at 21 Ill. Reg. 15235, effective 1/1/00)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Clinical Psychologist Licensing Act

2) Code Citation: 68 Ill. Adm. Code 1400

3) Section Numbers: Adopted Action:
 1400.20 Amendment
 1400.30 Amendment
 1400.40 Amendment
 1400.60 Amendment
 1400.70 Amendment
 1400.75 New Section
 1400.90 Amendment

4) Statutory Authority: Clinical Psychologist Licensing Act [225 ILCS 15].

5) Effective Date of Rulemaking: November 17, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: November 17, 1997

9) Notice of Proposal Published in Illinois Register: May 30, 1997, at 21 Ill. Reg. 6389

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Applications are to be filed at least 120 days, rather than 90, prior to an examination date.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This rulemaking will bring rules for the licensing of clinical psychologists into conformity with Public Act 89-702, the sunset reauthorization of the Act, effective July 1, 1997. These proposed rules clarify what constitutes supervision while applicants obtain their clinical experience and clarifies that the work history shall be from enrollment in a doctoral program rather than from completion of a baccalaureate degree. References to "Committee" are changed to "Board" throughout the rules to reflect the statutory changes. Section 1400.75 adds a new Section on fees due to the deletion of fees from the Act; the proposed fees are identical to those contained in the previous statutory

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

fee Section.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Jean Courtney
Address: Department of Professional Regulation
320 West Washington, 3rd Floor
Springfield, Illinois 62786
Telephone: 217/785-0813
Fax: 217/782-7645

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1400

CLINICAL PSYCHOLOGIST LICENSING ACT

Section	
1400.10	Statutory Authority (Repealed)
1400.20	Licensure Qualifications
1400.30	Experience Defined
1400.40	Application for Examination
1400.50	Examination
1400.60	Endorsement
1400.65	Renewals
1400.70	Restoration
1400.75	Fees
1400.80	Unethical, Unauthorized, or Unprofessional Conduct
1400.90	Granting Variances

AUTHORITY: Implementing the Clinical Psychologist Licensing Act [225 ILCS 15] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 5 Ill. Reg. 935, effective January 15, 1981; codified at 5 Ill. Reg. 11057; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; transferred from Chapter I, 68 Ill. Adm. Code 400 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1400 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2972; emergency amendment at 13 Ill. Reg. 2519, effective February 8, 1989, for a maximum of 150 days; emergency expired July 8, 1989; amended at 14 Ill. Reg. 4515, effective March 12, 1990; amended by adding Section 1400.20(b)(10) and (c)(2)(H) and Section 1400.30(a)(4), (b)(4) and (c)(5) at 14 Ill. Reg. 12735, effective July 30, 1990; amended at 18 Ill. Reg. 11191, effective June 30, 1994; expedited correction at 19 Ill. Reg. 989, effective June 30, 1994; amended at 20 Ill. Reg. 7868, effective May 30, 1996; emergency amendment at 21 Ill. Reg. 9217, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 15240, effective May 1, 1999.

Section 1400.20 Licensure Qualifications

An individual applying for licensure as a clinical psychologist pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15] (the Act) shall meet the following educational/experience requirements pursuant to Section 10 of the Act:

- a) In accordance with Section 10(3)(a) of the Act, the individual shall be a graduate of a doctoral program in clinical, school or counseling

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

psychology accredited by the American Psychological Association or approved by the Council for the National Register of Health Service Providers in Psychology and shall complete two years of supervised clinical, school or counseling psychology experience in accordance with Section 1400.30(a) and (d) of this Part, one of which shall be an internship and one of which shall be postdoctoral.

- b) In accordance with Section 10(3)(b) of the Act, the individual shall be a graduate of a doctoral program that is equivalent to a clinical, school or counseling psychology program and shall complete two years of supervised clinical, school or counseling psychology experience in accordance with Section 1400.30(a) and (d) of this Part, one of which shall be an internship and one of which shall be postdoctoral.

1) In determining equivalent programs, the following minimum standards shall be met:

- A) The program is from a regionally accredited university, college or school;
- B) The program constitutes the university, college or school's clinical, school or counseling psychology program as certified by the dean of the institution and includes a practicum as defined in Section 1400.30(b). (If there is an additional clinical, school or counseling program that exists under the clinical, school or counseling psychology name, the applicant shall apply under Section 10(5) of the Act and subsection (c) of this Section);
- C) The program, wherever administratively housed, must be clearly identified and labeled as a psychology program. The program must specify in institutional catalogues and brochures its intent to educate and train psychologists;
- D) The program is an organizational entity within the institution;
- E) The program has an integrated, organized sequence of study;
- F) The program has an identifiable core psychology faculty on-site and a psychologist responsible for the program;
- G) The program has an identifiable body of students who are matriculated in that program for a degree;
- H) The program encompasses a minimum of three academic years of full-time graduate study;
- I) The program has a one year residence. Residence requires interaction with psychology faculty and other matriculated psychology students. One year's residence or its equivalent is defined as follows:
 - i) 30 semester hours taken on a full-time or part-time basis at the institution, accumulated within 24 months; or
 - ii) A minimum of 350 hours of student-faculty contact involving face-to-face individual or group courses or seminars accumulated within 18 months. Such educational meetings must include both faculty-student

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

and student-student interaction, be conducted by the psychology faculty of the institution at least 90% of the time, be fully documented by the institution, and relate substantially to the program and course content. The institution must clearly document how the applicant's performance is assessed and evaluated.

- 2) the applicant's program shall include the 7 seven core content areas pursuant to Section 10(3)(B) of the Act as set forth below:

- A) Scientific and professional ethics in psychology, which include the standards set forth in Section 1400.80(k) and (l);
- B) Biological basis of behavior such as physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;
- C) Cognitive-affective basis of behavior such as learning, thinking, motivation, emotion;
- D) Social basis of behavior such as social psychology, group processes, organizational and systems theory;
- E) Individual differences which includes instruction in theories of normal and abnormal personality functioning;
- F) Assessment which includes instruction in clinical interviewing and the administration, scoring and interpretation of psychological test batteries for the diagnosis of mental abilities and personality functioning;
- G) Treatment modalities which includes instruction in the theory and application of a diverse range of psychological interventions for the treatment of mental, emotional, behavioral or nervous disorders.

- c) In accordance with Section 10(5) of the Act, the individual shall be a graduate of a doctoral psychology program or a graduate of a doctoral program that is psychological in nature; complete a course in each of the 7 core content areas listed in Section 10(3)(b) of the Act; complete a practicum in accordance with Section 1400.30(a) and (b) of this Part; complete an internship or equivalent supervised clinical experience in accordance with Section 1400.30(a) and (c) of this Part; and complete two years of supervised clinical psychology experience in accordance with Section 1400.30(a) and (d) of this Part, one of which must be postdoctoral.

1) The applicant's doctoral program shall meet the following requirements:

- A) The program is accredited by the Association of State and Provincial Psychology Boards or Council for the National Register of Health Service Providers in Psychology and is not a designated clinical or counseling psychology program; or
- B) The program is psychological in nature as determined by the Department of Professional Regulation (Department) upon the recommendation of the Clinical Psychologists Licensing and

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Disciplinary Board Committee (the Board Committee). In determining what program is psychological in nature, the Board Committee shall consider:

- i) A program that is from a regionally accredited institution of higher education;
- ii) A program, wherever administratively housed, that is clearly identified and labeled as offering psychology programs. The program must specify in institutional catalogues and brochures its intent to educate and train psychologists;
- iii) A program that is an organizational entity within the institution;
- iv) A program that has an integrated, organized sequence of study;
- v) A program that has an identifiable core psychology faculty on-site and a psychologist responsible for the program;
- vi) A program that has an identifiable body of students who are matriculated in that program for a degree;
- vii) A program that encompasses a minimum of three academic years of full-time graduate study;
- viii) A program that has a one year residence. Residence requires interaction with psychology faculty and other matriculated psychology students. One year's residence or its equivalent is defined as follows: 30 semester hours taken on a full-time or part-time basis at the institution accumulated within 24 months; or

A minimum of 350 hours of student-faculty contact involving face-to-face individual or group courses or seminars accumulated within 18 months. Such educational meetings must include both faculty-student and student-student interaction, be conducted by the psychology faculty of the institution at least 90% of the time, be fully documented by the institution, and relate substantially to the program and course content. The institution must clearly document how the applicant's performance is assessed and evaluated. The applicant shall complete a course in each of the 7 core content areas pursuant to Section 10(3)(b) of the Act as set forth below:

- A) Scientific and professional ethics in psychology set forth in Section 1400.80(k) and (l);
- B) Biological basis of behavior such as physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;
- C) Cognitive-affective basis of behavior such as learning, thinking, motivation, emotion;

2)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- D) Social basis of behavior such as social psychology, group processes, organizational and systems theory;
- E) Individual differences which includes instruction in theories of normal and abnormal personality functioning;
- F) Assessment which includes instruction in clinical interviewing and the administration, scoring and interpretation of psychological test batteries for the diagnosis of mental abilities and personality functioning;
- G) Treatment modalities which includes instruction in the theory and application of a diverse range of psychological interventions for the treatment of mental, emotional, behavioral or nervous disorders.
- d) For the purposes of this Section, course shall be defined as an integrated, organized didactic sequence of study which encompasses a minimum of one school term. No independent study courses may be used to satisfy the 7 core content areas set forth in Section 10 of the Act and subsections (b)(2) and (c)(2) of this Section.
- e) Remediation of Deficiencies
 - 1) Individuals who are deficient in any of the 7 core content areas may complete any one or all of these courses in a clinical, school or counseling psychological program accredited by the American Psychological Association, approved by the Council for the National Register of Health Service Providers in Psychology or a program approved in accordance with subsection (b) above.
 - 2) Individuals who are deficient in the practicum, internship or equivalent supervised clinical experience, or clinical experience requirements may obtain this experience in accordance with the standards set forth in Section 1400.30 of this Part.
 - 3) The applicant will be required to submit proof to the Department that he or she has completed such a course(s) and/or the experience. Documentation shall include, but not be limited to, curriculum/course syllabus, transcript(s), practicum, and program materials; internship handbook/brochures and course materials; and internship training plan.
 - 4) The deficiency(s) may be completed at any time.

(Source: Amended at 21 Ill. Reg. 15240, effective 1/1/99)

Section 1400.30 Experience Defined

The following sets forth standards for practicums, internships or equivalent supervised experience and the 2 years of supervised experience required for licensure as a clinical psychologist pursuant to Section 10 of the Act and Section 1400.20 of this Part:

- a) Practicums, internships or equivalent supervised experience and the 2 years of supervised experience:
 - 1) Shall be experience obtained after enrollment in a doctoral

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

psychology program.

- 2) Shall involve the practice of clinical psychology as defined in Section 2(5) of the Act. Illustrative tasks are: assessing, diagnosing and treating individuals with mental, emotional, behavioral or nervous disorders or conditions, or individuals with developmental disabilities.
 - 3) Shall not be limited to repetitious and routine tasks which, although involving psychological activities, are at the pre-professional level. Tasks illustrative of pre-professional experience are: administering and scoring structured tests; conducting standardized interviews; collecting data; academic guidance counseling; and assisting in a laboratory or teaching situation.
 - 4) Shall not be supervised experience in which the supervisor receives monetary payment or other considerations from the supervisee or in which the supervisor is hired by or otherwise employed by the supervisee.
- b) Practicum. In addition to the requirements set forth in subsection (a) above, the applicant's practicum (externship or clerkship) shall:
- 1) Be a part of the coursework in the doctoral program or be an equivalent 400 hours of coursework or training completed with a grade of satisfactory or better in a new area of competence approved by the Board prior to initiating the training.
 - 2) Involve the applicant in direct clinical psychology services to the client.
 - 3) Provide for personal supervision by a licensed clinical psychologist, licensed psychologist who is engaged in the practice of clinical psychology or by a person possessing the educational and experience qualifications necessary for licensure under the Act. However, failure of the licensing examination disqualifies one as a supervisor.
 - 4) Be performed pursuant to the order, control and full professional responsibility of the supervisor who shall meet with the applicant face-to-face for a minimum of 40 hours.
 - 5) Be a minimum of 400 hours in duration. This 400 hours does not have to take place in a single setting.
 - 6) Not count toward the two years of supervised experience required for licensure.
 - 7) Clearly delineate between practicum, internship and supervised work experience, using identifiable dates at the time of application.
- c) Internship. To meet the requirements of internship in accordance with Section 1400.20 or equivalent supervised clinical experience in an organized health care setting pursuant to Section 10(5) of the Act and Section 1400.20(c) of this Part, the internship or clinical experience shall, in addition to the requirements set forth in subsection (a) above:
- 1) Be an organized pre-planned training program (in contrast to

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

supervised experience or on the job training) designed to provide the applicant with a pre-planned, programmed sequence of training experiences which includes documented goals and objectives. The primary focus and purpose is assuring breadth and quality of training.

- 2) Include a minimum of one hour per week of regularly scheduled, face-to-face individual supervision with the specific intent of dealing with health services rendered directly by the applicant. There must also have been at least two additional hours per week in learning activities such as case conferences, including cases in which the intern was actively involved; seminars dealing with clinical issues; co-therapy with a staff person, including discussion; group supervision; and additional individual supervision.
- 3) Involve the applicant in direct clinical psychology services to the client (Section 2 of the Act) as a part of the training experience.
- 4) Be under the individual and personal supervision of a licensed clinical psychologist or a licensed psychologist who is engaged in clinical psychology whose license is active and in good standing (i.e., no disciplinary action in accordance with Section 15 of the Act).
- 5) Be performed pursuant to the order, control and full professional responsibility of the supervisor.
- 6) Include a minimum of 1750 hours completed within 24 months. The 1750 hours may not be completed in less than 50 weeks regardless of the number of hours worked per week.
 - A) Full-time experience shall be at least 35 hours per week and shall be obtained in a single setting for a minimum of 6 months.
 - B) Part-time experience will only be counted if it is 18 hours or more per week for a minimum of 9 months and is in a single setting.
- 7) Be post-practicum (post-clerkship or post-externship) level.
- 8) The experience must be evaluated by the supervisor as satisfactory or better.
- 9) If experience takes place in a work setting, there should be a distinction between the regular work duties of the applicant and the internship or equivalent clinical experience.
- 10) May include both paid and unpaid experience obtained by the applicant.
 - d) Clinical Experience. To meet the experience requirements of Section 10 of the Act, the experience shall in addition to the requirements set forth in subsection (a) above:
 - 1) Contain/include clinical psychology experience, at least one year of which must be post-doctoral. Practicum experience may not be counted toward fulfilling the 2 years of supervised experience.
 - A) A year of experience is defined as 1750 hours obtained in

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

not less than 50 weeks and completed within a 36 month period.

B) Full-time work experience must be obtained in a single setting for a minimum of 6 months with at least 35 hours per week.

C) Part-time experience will only be counted if it is 18 hours or more a week for a minimum of 9 months and is in a single setting.

D) Post-doctoral experience may begin upon completion of degree requirements for the doctoral degree, if verification of the date of completion of the degree requirement, when different from the date of graduation, is certified to the Department by the appropriate administrative official of the applicant's educational institution.

2) Be personally and individually supervised by a licensed clinical psychologist or a licensed psychologist who is engaged in the practice of clinical psychology whose license is active and in good standing (i.e., no disciplinary action in accordance with Section 15 of the Act). The experience must be performed pursuant to the order, control and full professional responsibility of the supervisor.

3) Be evaluated by the supervisor as satisfactory or better.

4) Be obtained prior to the date of the examination. Applicants completing the required experience after the examination date will be considered for the next examination. All supervised experience completed prior to the application date shall be listed on the application in order to be considered.

5) May include both paid and unpaid experience obtained by the applicant.

6) Include a minimum of one hour per week of regularly scheduled, face-to-face individual supervision with the specific intent of dealing with health services rendered directly by the applicant.

(Source: Amended at 21 Ill. Reg. 15240, effective NOV 1 1997)

Section 1400.40 Application for Examination

a) An applicant shall file an application on forms supplied by the Department at least 120 90 days prior to an examination date. The application shall include:

1) Certification of receipt of a doctoral degree as defined in Section 1400.20 of this Part and official transcripts from the applicant's doctoral program. Submission of official transcripts shall be for the purpose of verifying participation in the educational program;

2) Professional experience reference forms verifying the length, exact time, number of hours per week and description of functions

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

of the applicant's employment and that the experience was obtained pursuant to Section 1400.30 of this Part. All experience information shall be submitted at the time of application. References shall be completed by the person who supervised the applicant pursuant to Section 1400.30 of this Part;

3) A complete work history since enrollment in the doctoral program ~~completion-of-a-baccalaureate-degree~~; and
4) The required fee set forth in Section 1400.75 of this Part Section-2447-of-the-Act.

b) In addition to the above documents, candidates applying under Section 1400.20(b) and (c) shall submit documentation as required in Section 1400.20 (b) and (c) of the practicum and internship training.

c) Applicants who are graduates from educational institutions outside the United States shall provide, in addition to those requirements listed above, a certified translation of all documents submitted in any language other than English.

d) In addition, the applicant shall cause to be sent directly to the Department certification of the date of completion of degree requirements, if different from date of the awarding of such degree, by the certifying educational administration official, for computation of post-doctoral experience as provided for in Section 1400.30 of this Part.

e) Each application shall be reviewed on an individual basis by the Board ~~Committee~~ in accordance with this Section.

f) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board ~~Committee~~ because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking a license will be requested to:

1) Provide such information as may be necessary; and/or

2) Appear for an oral interview(s) before the Board ~~Committee~~.

g) Upon recommendation by the Board ~~Committee~~ and approval by the Department the applicant shall be notified of eligibility to sit for the examination or notified of the reasons for denial of the application.

(Source: Amended at 21 Ill. Reg. 15240, effective NOV 1 1997)

Section 1400.60 Endorsement

a) Any person who is currently licensed in another state or territory of the United States or a foreign country desiring to obtain a license as a licensed clinical psychologist pursuant to Section 11 of the Act shall file an application with the Department, on forms provided by the Department, which shall include:

1) A certification from the jurisdiction of original licensure and

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

any other jurisdiction in which the applicant is or has ever been licensed, stating:

- A) The date of issuance of the applicant's license;
- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and
- C) Whether the records of the licensing authority contain any record of disciplinary action taken or pending;

2) A complete work history since enrollment in the doctoral completion-of-a-baccalaureate-degree program;

3) Certification of graduation from a psychology program, as defined in Section 1400.20 of this Part, and official transcripts from the applicant's doctoral program. Submission of official transcripts shall be for the purpose of verifying participation in the educational program;

4) A--copy-of-the-Act-and-rules-from-the-state-of-original-licensure that-were-in-effect-at-the-time-of-licensure;

45) Professional experience reference forms verifying the length, exact time, number of hours per week and description of functions of the applicant's employment and that the experience was obtained pursuant to Section 1400.30 of this Part. All experience information shall be submitted at the time of application. References shall be completed by the person who supervised the applicant pursuant to Section 1400.30 of this Part; and

56) The required fee specified in Section 1400.75 of this Part 24(3) of-the-Act.

b) Any person currently licensed in the United States or Canada desiring to obtain a license as a licensed clinical psychologist under the provisions for senior psychologists who have been licensed for at least 20 years pursuant to Section 11 of the Act shall file an application with the Department that shall include:

1) A certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, stating:

- A) The date of issuance of the applicant's license and the level of licensure;
- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
- C) If multiple levels of practice are licensed, that the license is at the highest level of practice in that jurisdiction; and
- D) Whether the records of the licensing authority contain any record of disciplinary action taken or pending;

2) Proof that the applicant has been actively and lawfully licensed to practice clinical psychology in another state or Canada for at least 20 consecutive years and that such license(s) has never been disciplined by another state or Canada. An applicant whose license has been disciplined by another jurisdiction shall not be

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

eligible nor shall the applicant be issued a license pursuant to this subsection (b); however, such applicant's credentials may be reviewed pursuant to subsection (a) or by examination;

3) Verification of a doctoral degree in psychology from a college, university or school that was regionally accredited in the jurisdiction in which it is located by a body recognized by the Council on Postsecondary Accreditation at the time the degree was granted and an official transcript;

4) A complete work history since licensure as a psychologist; and

5) The required fee specified in Section 1400.75 of this Part Section-24(3)-of-the-Act.

c) Each application shall be reviewed on an individual basis by the Board Committee in accordance with this Section. The Department or Board may request from the applicant a copy of the Act and Rules from the state of original licensure that were in effect at the time of licensure.

d) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board Committee, because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking a license will be requested to:

1) Provide such information as may be necessary; and/or

2) Appear for an oral interview(s) before the Board Committee. Upon recommendation of the Board Committee and approval by the Department, the applicant shall be notified of eligibility to sit for the examination, issued a license by endorsement or notified of the reasons for denial of the application.

(Source: Amended at 21 Ill. Reg. 1400.75, effective NOV 17 1999)

Section 1400.70 Restoration

a) A person seeking restoration of a license which has lapsed or been on inactive status for less than five (5) years shall have it restored upon payment of the required fees specified in Section 1400.75 of this Part 24(6)-of-the-Act.

b) A person seeking restoration of his/her license which has lapsed or been on inactive status for more than five years shall file a completed application, on forms supplied by the Department, with the required fee set forth in Section 1400.75 of this Part 24(6)-of-the-Act. The applicant shall also be required to either:

- 1) Submit certification of current licensure from another jurisdiction and verification of active practice in that jurisdiction; or
- 2) Submit proof of one year of study completed within the past five (5) years in an approved educational program in accordance with Section 1400.20 of this Part; or
- 3) Submit verification of six months of full-time supervised

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

experience, as described in Section 1400.30(a) of this Part; or

4) Pass the examination as set forth in Section 1400.50 of this Part.

c) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department, because of discrepancies or conflicts in information, the need for further clarification, and/or missing information, the person seeking restoration of his license will be requested to:

- 1) provide such information as may be necessary; and/or
- 2) explain such relevance or sufficiency during an oral interview; or
- 3) appear for additional oral interview(s) before the Board Committee when the information available to the Board Committee is insufficient to evaluate the individual's current competency to practice under the Act. Upon the recommendation of the Board Committee and approval of the Director, an applicant shall have his license restored.

(Source: Amended at 21 Ill. Reg. 15240, effective NOV 17 1997)

Section 1400.75 Fees

The following fees shall be paid to the Department and are not refundable:

a) Application Fees.

- 1) The fee for application for a license by examination or acceptance of examination as a clinical psychologist is \$50. In addition, applicants for an examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

2) The application fee for a license as a clinical psychologist certified or licensed under the laws of another jurisdiction is \$100.

3) The application fee for a license as an association or partnership to practice clinical psychology is \$50.

b) Renewal Fees. The fee for the renewal of a license shall be calculated at the rate of \$80 per year.

c) General Fees.

1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees.

2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license which has been lost or

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

destroyed or for the issuance of a license with a change of name or address, other than during the renewal period, is \$20. No fee is required for name and address changes on Department records when no duplicate license is issued.

- 3) The fee for a certification of a licensee's record for any purpose is \$20.
- 4) The fee to have the scoring of an examination administered by the Department reviewed and verified is \$20.
- 5) The fee for a wall certificate showing licensure shall be the actual cost of producing such certificate.
- 6) The fee for a roster of persons licensed as clinical psychologists in this State shall be the actual cost of producing such a roster.

(Source: Added at 21 Ill. Reg. 15240, effective NOV 17 1997)

Section 1400.90 Granting Variances

a) The Director may grant variances from this Part ~~these rules~~ in individual cases where he/she finds that:

- 1) The provision from which the variance is granted is not statutorily mandated;
 - 2) No party will be injured by the granting of the variance; and
 - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Clinical Psychologists Licensing and Disciplinary Board Committee of the granting of such variance, and the reasons therefor, at the next meeting of the Board Committee.

(Source: Amended at 21 Ill. Reg. 15240, effective NOV 17 1997)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois Public Accounting Act
- 2) Code Citation: 68 Ill. Adm. Code 1420
- 3) Section Numbers: Adopted Action:
1420.70 Amendment
- 4) Statutory Authority: Illinois Public Accounting Act [225 ILCS 450].
- 5) Effective Date of Amendments: November 17, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 17, 1997
- 9) Date Notice of Proposal Published in Illinois Register: July 11, 1997, at 21 Ill. Reg. 8837.
- 10) Has JCAR issued a Statement of Objections to these Rules? No
- 11) Difference(s) between proposal and final version: No substantive changes were made to the proposed version.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect?
No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Self-study and correspondence courses have been authorized for continuing education credit for public accountants since the inception of continuing education (CE). It has been limited, however, to 50% of the total number of hours. Modern computer technology has now created interactive self-study programs that simulate the classroom learning process. Accordingly, these adopted rules permit licensees to increase their CE hours through interactive self-study. Up to two-thirds of the 120 hours required per renewal period may be from self-study or correspondence courses, so long as no more than 60 hours are from traditional self-study or correspondence courses; up to 80 hours could be from interactive self-study. The rest of the hours must continue to be from traditional courses and programs.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813
Fax: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1420

ILLINOIS PUBLIC ACCOUNTING ACT

Section	
1420.10	Experience
1420.20	Application for Licensure-Individual
1420.30	Application for Licensure-Firm
1420.35	Temporary Practice
1420.40	Fees for the Administration of the Act
1420.50	Endorsement
1420.60	Restoration
1420.70	Continuing Professional Education
1420.80	Renewals
1420.90	Annual Report of the Committee
1420.100	Conduct of Hearings (Repealed)
1420.110	Granting Variances

AUTHORITY: Implementing the Illinois Public Accounting Act [225 ILCS 450] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations for the Administration and Enforcement of the Provisions of the Illinois Public Accounting Act, effective June 30, 1975; codified at 5 Ill. Reg. 11058; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7748, effective June 15, 1982; emergency amendment at 7 Ill. Reg. 14548, effective October 13, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 6179, effective April 25, 1984; amended at 9 Ill. Reg. 5708, effective April 15, 1985; amended at 9 Ill. Reg. 8738, effective May 28, 1985; amended at 9 Ill. Reg. 13360, effective August 21, 1985; amended at 10 Ill. Reg. 20739, effective December 1, 1986; amended at 11 Ill. Reg. 18276, effective October 27, 1987; transferred from Chapter I, 68 Ill. Adm. Code 420 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1420 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2944; amended at 19 Ill. Reg. 16258, effective November 28, 1995; amended at 21 Ill. Reg. 15255, effective NOV 1, 1995.

Section 1420.70 Continuing Professional Education

- a) Approved continuing professional education course or program (CPE course), as used in this Part, shall mean a course or program that complies with subsection (d) of this Section.
- b) Recognized educational or professional sponsor, as used in this Part,

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

shall mean:

- 1) The American Institute of Certified Public Accountants (AICPA);
 - 2) The Illinois CPA Society/Foundation (ICPAS/F); or
 - 3) A university or college approved by its governing board in the State of Illinois, or equivalent public authority governing board if in another jurisdiction, to award accounting degrees.
- c) Sponsor, as used in this Part, shall mean a person, firm, association, corporation or other group responsible for coordination and presentation of an approved CPE course or program.
- d) An approved CPE course or program is an organized program of formal learning that contributes directly to a certified public accountant's knowledge, ability or competence to perform his/her duties as a public accountant. Those programs and courses will qualify if they meet the following minimum requirements:

- 1) The course or program shall include as its subject matter one or more of the following:

- A) Accounting and auditing
- B) Taxation
- C) Management services
- D) Computer sciences
- E) Mathematics, statistics, probability, and quantitative applications to organization
- F) Economics
- G) Finance
- H) Business, securities and administrative law
- I) Business management and employee benefits
- J) Professional ethics for certified public accountants
- K) Auditing public or private sector specialized industries
- L) Administrative practice; e.g., engagement letters, fee structure and personnel management
- M) Effective presentation techniques
- N) Professional Writing
- O) Decision Making
- P) Practice development

- 2) All courses and programs shall be developed and presented by persons with education and/or experience in the subject matter of the program to ensure compliance with the standards stated herein.

- 3) All programs must include some mechanism whereby the participants evaluate the over-all quality of the program.

- 4) All courses and programs shall specify the course objectives, level of knowledge necessary for, and prerequisites to enrollment, if any, course content, any necessary advance preparation, teaching methods to be used, and the number of CPE hours that will be earned.

- 5) An interactive self-study course or program is a program that uses interactive learning methodologies that simulate the classroom learning process by employing computer software, other

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

technology or administrative systems that provide significant, ongoing, interactive feedback to the learner regarding his or her learning process. For reporting periods ending on or after September 1, 1997, interactive self-study programs shall qualify for full credit, except as limited by the provisions of subsection (e)(4).

6)5) The sponsor(s) of all courses and programs will provide each participant with a certificate or other proof of attendance, which must include the name and address of the sponsor, the name and address of the participant, the title of the course, the number of hours actually attended in each topic, and the date the course or program was given. The sponsor(s) shall also provide each participant with an outline of the course subject matter. If the sponsor is a public accounting firm licensed under the Act, and the course is given in-firm, the sponsor will not be required to provide certificates of attendance to the employees of the firm attending the course.

e) Credit Hours--Each approved CPE course or program "hour" shall include, as a minimum, 50 minutes of actual class time, exclusive of time devoted by participants to pre-class or post-class preparation or study and shall equal one CPE course credit hour. Courses that are part of the curriculum of a university, college or other educational institution shall be awarded CPE course credit at the rate of 15 credit hours for each semester hour, or 10 credit hours for each quarter hour of school credit awarded.

1) A licensee who serves as an instructor, speaker or discussion leader of an approved course will be allowed CPE course credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for repetitious presentations of the same course, and will only be allowed for additional study or research. In no case shall credit for actual time of presentation and preparation be given for more than 60 50%--of--the--total--number--of hours required during any renewal period.

2) CPE course credit will be allowed for actual authorship of published articles and books, provided the subject matter of such article or book complies with this Section. CPE course credit shall be allowed for actual time spent in writing or researching, but in no case shall credit for authorship of published articles or books be given for more than 30 25%--of--the--total--number--of hours required during any renewal period.

3) A correspondence or individual study course shall qualify if it meets all other requirements of these rules, it indicates average completion time on the course material, and it provides some mechanism or process by which to provide evidence of satisfactory completion by the licensee beyond certification by the licensee. Credit hours for a correspondence or individual study course other than an interactive self-study course, shall be allowed on

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

the basis of one-half of the average completion time determined by the sponsor. In no case shall credit for correspondence or individual study courses, other than an interactive self-study course, be given for more than 60 50%--of--the--total--number--of hours required during any renewal period.

4) In addition to the limitations stated in subsection (e)(3), not more than 80 hours during any renewal period may consist of a combination of interactive self-study and correspondence or individual study courses.

5)4) CPE course credit will be allowed for programs or courses taken toward the satisfaction of continuing education provisions in other States.

f) Recognized educational or professional sponsors, as specified in subsection (b) above, shall be approved upon filing a sponsor application form with the Department and payment of the required fee set forth in Section 1420.40 of this Part. Such filing shall not prevent the Department from requiring additional information, to ensure full and continued compliance with the statute and this Part. The Department will require the added information when it has reason to believe that there is not full and continued compliance with the statute and this Part and the additional information is necessary to ensure compliance.

g) All other sponsors shall be approved upon application to the Department, payment of the required fee set forth in Section 1420.40 of this Part and upon providing the Department the following additional certification:

1) That all courses and programs offered by such sponsor for CPE course credit will comply with this Section;

2) That the sponsor will be responsible for verifying attendance at each course or program and will maintain such records for not less than five years; and

3) That, upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with the requirements of this Section. Such evidence will be requested when the Department has reason to believe that there is not full and continued compliance with the statute and this Part and that the information is necessary to ensure compliance.

h) Upon failure of any sponsor to comply with the requirements of this Section, the Department shall issue a written notification to the sponsor that it must remedy its non-compliance prior to providing further approved courses.

i) All sponsor approvals shall expire December 31 of each year and may be renewed by submitting a renewal application and the required fee set forth in Section 1420.40(o) of this Part.

j) The Department shall periodically audit CPE course information submitted by applicants to verify such information, and shall verify such information upon receipt of a written complaint or allegation that a particular applicant or group of applicants has not fully

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

complied with the requirements of the Act or this Part.
 k) Any approved sponsor's course(s) shall be disapproved if the sponsor fails or refuses to provide information to the Department for ascertaining compliance with this Part as specified in subsections (f) and (g) above.

(Source: Amended at 21 Ill. Reg. 15255, effective
NOV 1 1997)

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Health Maintenance Organization
- 2) Code Citation: 50 Ill. Adm. Code 5421
- 3) Section Numbers: Emergency Action:
 5421.20 Amendment
 5421.110 Amendment
 5421.111 Amendment
 5421.131 New Section
- 4) Statutory Authority: Implementing and authorized by Sections 4-17, 5-2 and 5-7 of the Health Maintenance Organization Act [215 ILCS 125/4-17, 5-2 and 5-7, (see P.A. 90-376, effective August 14, 1997)].
- 5) Effective Date of Amendments: November 18, 1997
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: These emergency amendments will not expire before the end of the 150 day emergency period.
- 7) Date Filed in Agency's Principal Office: November 18, 1997
- 8) Reason for Emergency: The Governor signed H.B. 1565 on August 14, 1997, which has an immediate effective date. Pursuant to P.A. 90-0376, Health Maintenance Organizations may make basic outpatient preventive and primary health care services available to children under the age of 19 who are otherwise unable to obtain health care benefits.
- 9) A Complete Description of the Subjects and Issues Involved: These amendments will set forth regulatory standards pursuant to P.A. 90-376 which authorizes Health Maintenance Organizations to make basic outpatient preventive and primary health care services available to children under the age of 19 who are otherwise unable to obtain health care benefits. The Department is also amending Section 5421.110 pursuant to the Health Insurance Portability and Accountability Act of 1996 (42 USC 300gg-42).
- 10) Are there any proposed amendments to this Part pending? Yes
- 11) Statement of Statewide Policy Objectives: These emergency amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Information and questions regarding this amendment:

Mary Petersen
 HMO Compliance Unit
 Department of Insurance

DEPARTMENT OF INSURANCE
NOTICE OF EMERGENCY AMENDMENTS

320 West Washington
Springfield, Illinois 62767

or

David Van Lieshout
Assistant Chief Counsel
Department of Insurance
320 West Washington
Springfield, Illinois 62767

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF INSURANCE
NOTICE OF EMERGENCY AMENDMENTS
TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER kkk: HEALTH SERVICE PLANS

PART 5421
HEALTH MAINTENANCE ORGANIZATION

Section	Scope
5421.10	Definitions
5421.20	Valuation of Investments
EMERGENCY	Grievance Procedure
5421.30	Contracts, Administrative Arrangements and Material Modifications
5421.40	Rates
5421.50	Subordinated Indebtedness
5421.60	Financial Reporting
5421.70	Conflict of Interest and Required Disclosure
5421.80	Solicitation
5421.90	Requirements for Group Contracts, Evidences of Coverage and Individual Contracts
5421.100	Cancellation
5421.110	Form Filing Requirements
EMERGENCY	Point of Service Plan Requirements
5421.111	Internal Security Standards and Fidelity Bonds
5421.112	Basic Health Care Services
5421.113	Basic Outpatient Preventive and Primary Health Care Services for Children
5421.120	General Provisions
5421.130	HMO Producer Licensing Requirements
5421.131	Limited Insurance Representative Requirements - Public Aid and Medicare Enrollers
EMERGENCY	Severability
5421.140	Effective Date (Repealed)
5421.141	
5421.142	
5421.150	
5421.160	

AUTHORITY: Implementing and authorized by Sections 4-17, 5-2 and 5-7 of the Health Maintenance Organization Act [215 ILCS 125/4-17, 5-2 and 5-7 (see P.A. 90-0376, effective August 14, 1997)].

SOURCE: Filed June 16, 1976, effective July 1, 1976; codified at 7 Ill. Reg. 3016; amended at 15 Ill. Reg. 199, effective December 28, 1990; amended at 20 Ill. Reg. 10639, effective July 25, 1996; recodified at 21 Ill. Reg. 1729; emergency amendment at 21 Ill. Reg. 15263, effective November 18, 1997, for a maximum of 150 days.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

Section 5421.20 Definitions
EMERGENCY

Act means the Health Maintenance Organization Act [215 ILCS 125/1-1.4 as amended by P.A. 90-376, effective August 14, 1997 et-seq], hereinafter referred to as the "Act".

Advertisement means any printed or published material, audiovisual material and descriptive literature of the health care plan used in direct mail, newspapers, magazines, radio scripts, television scripts, billboards and similar displays; and any descriptive literature or sales aids of all kinds disseminated by a representative of the health care plan for presentation to the public including, but not limited to, circulars, leaflets, booklets, depictions, illustrations, form letters and prepared sales presentations (Section 1-2(1) of the Act).

Base Rates means the rate generated before any classification deviations are applied.

Basic Health Care Services means emergency care, and inpatient hospital and physician care, outpatient medical services, mental health services and care for alcohol and drug abuse, including any reasonable deductibles and co-payments, all of which are subject to such limitations as are set forth in this Part (Section 1-2(3) of the Act).

Cancellation means the termination of a group contract, evidence of coverage or individual contract by an HMO prior to the expiration date of the group contract, evidence of coverage or individual contract.

Consumer means any enrollee, provided that such individual is not or has not been in the previous two years: an employee (including his spouse or dependent) of the HMO or affiliate of the HMO; or a provider furnishing health care services to the HMO or affiliate of the HMO.

Copayment means the amount an enrollee must pay in order to receive a specific covered service which is not fully prepaid.

Deductible means the amount an enrollee is responsible to pay out-of-pocket before the HMO begins to pay the costs associated with treatment.

Department mean the Illinois Department of Insurance.

Department of Insurance Complaint means a written complaint filed by or on behalf of an enrollee, with the Department pursuant to Section 4-6 of the Act [215 ILCS 125/4-6], excluding complaints filed by Illinois Department of Public Aid HMO members under Section 5-11 [305

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

ILCS 5/5-11] and complaints subject to handling by the Health Care Financing Administration pursuant to a contract entered into between the Health Care Financing Administration and the HMO.

Director means the Director of the Illinois Department of Insurance (Section 1-2(2) of the Act).

Enrollee means an individual who has been enrolled in a health care plan (Section 1-2(4) of the Act).

Evidence of Coverage means any certificate, agreement, or contract issued to enrollees setting out the coverage to which they are entitled in exchange for a per capita prepaid sum (Section 1-2(5) of the Act).

Governing Body means the Board of trustees, or directors, or if otherwise designated in the basic organizational document bylaws, those individuals vested with the ultimate responsibility for the management of any organization that has been issued, or is applying for, a certificate of authority as an HMO.

Grievance means any written complaint submitted to the HMO by or on behalf of an enrollee regarding any aspect of the HMO relative to the enrollee, but shall not include any complaint by or on behalf of a provider.

Grievance Committee means individuals who have been appointed by the HMO to respond to grievances which have been filed on appeal from the HMO's simplified complaint process established pursuant to Section 5421.40(d) of this Part. At least 50 % of the individuals on this committee shall be composed of enrollees who are consumers.

Group Contract means a contract for health care services which by its terms limits eligibility to members of a specified group (Section 1-2(6) of the Act).

Health Care Plan means any arrangement whereby any organization undertakes to provide or arrange for and pay for or reimburse the cost of any basic health care services from providers selected by the HMO and such arrangement consists of arranging for or the provision of such health care services, as distinguished from mere indemnification against the cost of such services, except as otherwise authorized by Section 2-3 of the Act, on a per capita prepaid basis, through insurance or otherwise (Section 1-2(7) of the Act). A health care plan also includes any arrangement whereby an organization undertakes to provide, or arrange for, or pay for, or reimburse the cost of any health care services for persons who are enrolled in the integrated health care program established under Section 16.3 of the Illinois

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

Public Aid Code [305 ILCS 5/5-16.3] through providers selected by the organization and the arrangement consists of making provision for the delivery of health care services, as distinguished from mere indemnification. A health care plan also includes any arrangement pursuant to Section 4-17 of the Illinois Insurance Code [215 ILCS 125/4-17]. Nothing in the definition of Health Care Plan, however, affects the total medical services available to persons eligible for medical assistance under the Illinois Public Aid Code.

Health Care Services means any services included in the furnishing to any individual of medical or dental care, or the hospitalization or incident to the furnishing of such care or hospitalization as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing or healing human illness or injury (Section 1-2(8) of the Act).

HMO means Health Maintenance Organization.

Individual Contract means a contract for health care services issued to and covering an individual. The individual contract may include dependents of the subscriber.

Limited Insurance Representative means an individual appointed by an HMO to represent the HMO in the enrollment of recipients of Public Aid or Medicare in the HMO.

Managed Care Organization (MCO) means a partnership, association, corporation or other legal entity, including but not limited to individual practice associations (IPAs) and Physician Hospital Organizations (PHOs), which delivers or arranges for the delivery of health care services through providers it has contracted with or otherwise made arrangements with to furnish such health care services.

Notice of Availability of the Department as required by this Part shall be no less informative than the following:

The regulations of the Illinois Department of Insurance (50 Ill. Adm. Code 5421.110(n)) 100 requires that we advise you that if you wish to take this matter up with the Illinois Department of Insurance it maintains a Consumer Division in Chicago at 100 W. Randolph Street, Suite 15-100, Chicago, Illinois 60601-3251 and in Springfield at 320 West Washington Street, Springfield, Illinois 62767-0001.

Point of Service Plan means a plan in which an eligible enrollee is covered under both an HMO evidence of coverage and an indemnity insurance policy or certificate and may select, on a point of service basis, between using the HMO or the indemnity benefit program. **Under**

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

~~such--a--plan--enrollees--at--their--option--may--obtain--health--care services--including--but--not--limited--to--basic--health--care--services--as defined--in--Section--1-2(3)--of--the--Act--(215--ILCS--125/4-2(3))--and--Section 5421-130--of--this--Part--outside--the--HMO's--provider--network.~~

Primary Care Physician means a provider who has contracted with an HMO to provide primary care services as defined by the contract and who is:

a physician licensed to practice medicine in all of its branches who spends a majority of clinical time engaged in general practice of internal medicine, pediatrics, gynecology, obstetrics or family practice, or

a chiropractic physician licensed to treat human ailments without the use of drugs or operative surgery (77 Ill. Adm. Code 240.2).

Producer means a person directly or indirectly associated with a health care plan who engages in solicitation or enrollment (Section 1-2(13) of the Act).

Provider means any physician, hospital facility, or other person which is licensed or otherwise authorized to furnish health care service and also includes any other entity that arranges for the delivery or furnishing of health care services (Section 1-2(12) of the Act).

Renewal means the issuance and delivery by an HMO of a group contract or individual contract superseding at the end of the contract period a contract previously issued and delivered by the same HMO or the issuance and delivery of a certificate or notice extending the term of the group or individual contract beyond its contract term.

Solicitation means any method by which information relative to an HMO is made known to the public for the purpose of informing or influencing potential enrollees to enroll in a Health Care Plan, regardless of the media or technique used.

State means any governing body, department, or agency of the State of Illinois which has regulatory authority governing the Act.

Subscriber means a person who has entered into a contractual relationship with the HMO for the provision of or arrangement of at least Basic Health Care Services to the beneficiaries of such contract (Section 1-2(15) of the Act).

Supplemental Health Care Services means any health care service other than basic health care services.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

Usual and Customary Fee shall mean the fee as reasonably determined by the HMO that is based on the fee which the provider who renders the service usually charges its patients for the same service and the fee is within the range of usual fees other providers of similar type, training and experience in a similar geographic area charge their patients for the same service, under similar or comparable circumstances.

(Source: Emergency amendment at 21 Ill. Reg. 15262, effective November 18, 1997, for a maximum of 150 days)

Section 5421.110 Requirements for Group Contracts, Evidences of Coverage and Individual Contracts

EMERGENCY

a) Any group contract, evidence of coverage, individual contract, enrollee handbook, enrollment application, identification card or other form which affects the terms and conditions applicable to the subscriber or enrollee in the provision of health care services must be filed with and approved by the Director prior to use in accordance with the requirements of Section 5421.112 of this Part and Section 4-13 of the Act. The HMO shall issue to each subscriber or enrollee a group contract, evidence of coverage, or individual contract. Any conflicting information between the valid current document referenced above issued to the subscriber or enrollee and the current group contract shall be interpreted according to whichever is most beneficial to the subscriber or enrollee. Any such group contract, evidence of coverage, or individual contract shall provide for the rendering of health care services as defined therein for either a specific period of not less than twelve months from the date of issuance or for such period as is otherwise mutually agreed to by the HMO and the group or individual contract holder; and shall provide for renewal on a basis mutually agreed to by both parties, unless the HMO has given thirty-one days written notice of nonrenewal prior to the renewal date of the contract.

b) A detailed statement of any exceptions, exclusions or limitations shall be set forth in the group contract, evidence of coverage, and individual contract for any type of health care service to be excepted. Such exceptions, exclusions or limitations shall appear with the same prominence in the group contract, evidence of coverage and individual contract as any benefit.

c) The group contract, evidence of coverage, and individual contract shall set forth a detailed statement of the terms and conditions of maternity benefits and any related exceptions, exclusions, limitations, co-payments and deductibles. Such exceptions, exclusions, limitations, co-payments and deductibles applicable to prenatal and post-natal care shall be covered no differently than any other covered health care services provided pursuant to the contract,

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

with the exception of a limitation for coverage of routine prenatal care or delivery when the enrollee is outside the service area against medical advice, except when the enrollee is outside of the service area due to circumstances beyond her control, may be included in the group contract and evidence of coverage.

- d) Entire Contract. The group contract, evidence of coverage and individual contract shall contain a statement that the group contract evidence of coverage and individual contract, all applications, and any amendments thereto shall constitute the entire agreement between the parties. No portion of the charter, by-laws or other document of the HMO shall be part of such a contract or evidence of coverage unless set forth in full in such document or attached thereto.
- e) Eligibility Requirements. The group contract, evidence of coverage and individual contract shall contain eligibility requirements indicating the conditions that must be met to enroll in a health care plan, the limiting age for enrollees and eligible dependents including the effects of Medicare eligibility, and a clear statement regarding coverage of newborn children as set forth in Section 4-8 and 4-9 of the Act.
- f) Benefits and Services Within the Service Area. The group contract, evidence of coverage and individual contract shall contain a specific description of benefits and services available within the HMO's designated service area.
- g) Emergency Care Services. The group contract, evidence of coverage and individual contract shall contain a specific description of benefits and services available for emergencies 24-hours a day, 7 days a week, including disclosure of any restrictions on emergency care services. No group contract or evidence of coverage shall limit the coverage of emergency services within the service area to those providers having a contract with the HMO.
- h) Out of Area Benefits and Services. The group contract, evidence of coverage and individual contract shall contain a specific description of benefits and services available out of the HMO's designated service area.
- i) Deductibles and Copayments. An HMO may require copayments of enrollees as a condition for the receipt of specific health care services. Deductibles and copayments shall be the only allowable charge, other than premiums, assessed enrollees. Copayments shall be for a specific dollar amount. Deductibles shall be either for a specific dollar amount or for a specific percentage of the cost of the health care service. No single deductible or copayment for basic health care services may exceed 50% of the usual and customary fee of the service to the HMO and must be waived when in a calendar year, deductibles and copayments paid for the receipt of basic health care services exceed \$1500 per enrollee, or \$3000 per family. Deductibles and copayments applicable to supplemental health care services or pre-existing conditions are not subject to this annual limitation. Nothing within this subsection shall preclude the provider from

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

charging reasonable administrative fees such as service fees for checks returned for non-sufficient funds and missed appointments.

- j) Pre-existing Conditions. An HMO may impose deductible and copayment pre-existing condition limitations as a condition to receiving health care services. A pre-existing condition shall not be defined more restrictively than a condition for which medical advice or treatment was recommended by a physician or received from a physician within a one year period preceding the effective date of coverage under the health care plan or the existence of symptoms which, in the opinion of a legally qualified physician, would have caused an ordinarily prudent person to seek diagnosis, care or treatment within a one year period preceding the effective date of coverage under the health care plan. Such condition may only be limited for a period not to exceed one year from the effective date of coverage.

- k) Cancellation. The group contract, evidence of coverage, and individual contract shall contain the conditions upon which cancellation may be effected by the HMO or the enrollee as set forth in Section 542.111 of this Part.

- l) Reinstatement. The group contract, evidence of coverage, and individual contract shall contain the conditions of the enrollee's right to reinstatement.

- m) Grace Period. A group contract or individual contract shall provide for a grace period for the payment of any premium, except the first, during which coverage shall remain in effect if payment is made during the grace period. The grace period for a group contract shall not be less than ten (10) days. The grace period for an individual contract shall not be less than thirty-one (31) days. During the grace period, the HMO shall remain liable for providing the services and benefits contracted for; the subscriber shall remain liable for the payment of the premium for the time coverage was in effect during the grace period and the enrollee shall remain liable for the payment of any applicable share of the premium, for the time coverage was in effect, as well as for any copayments owed.

- n) No group contract, or evidence of coverage, or individual contract may be delivered in this state unless the subscriber and/or enrollee is provided written notice required by Section 143c of the Illinois Insurance Code [215 ILCS 5/143c].

- o) Right to Examine Contract. An individual contract, with the exception of an HMO Medicare contract entered into between the Health Care Financing Administration and the HMO under Title XVIII of the Social Security Act, as amended from time to time, shall contain a provision stating that an enrollee who has entered into an agreement with a HMO shall be permitted to return the individual contract within ten days of receiving it and to receive a refund of the premium paid if the enrollee is not satisfied with the contract for any reason. If the individual contract is returned to the HMO or to its representative through whom it was purchased, it is considered void from the beginning. However, if services are rendered or claims are paid for

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

such enrollee or dependent by the HMO during the ten-day examination period, the enrollee shall not be permitted to return the contract and receive a refund of the premium paid.

- p) An HMO Medicare contract entered into between the Health Care Financing Administration and the HMO under Title XVIII of the Social Security Act, as amended from time to time, shall be delivered to the enrollee at least fifteen days prior to the effective date of the contract. The enrollee shall be permitted to return the HMO Medicare contract prior to the effective date and to receive a refund of the premium paid if the enrollee is not satisfied with the contract for any reason, provided the enrollee complies with the disenrollment procedures of Title XVIII of the Social Security Act, as amended from time to time.

- q) Every HMO will provide to every enrollee of the HMO information which generally describes the philosophy, functions and organization of the HMO and related institutions, and specific information which describes the appropriate use of the HMO's services, including a general description of benefits and limitations. The HMO shall include in its enrollee information a description of the HMO's grievance procedure, directions for filing a grievance, and "Notice of Availability of the Department."

- r) Every HMO shall provide to every enrollee of the HMO an identification card which must prominently display the following information:

- 1) the words "Health Maintenance Organization" or "HMO"; and
- 2) disclaimer language concerning an enrollee's unauthorized use of providers not selected by the HMO; and

- 3) a current telephone number for the enrollees to use when health care services are required outside of normal office hours.

- s) Enrollment Application. No individual contract shall be issued except upon the signed enrollment application of the enrollee for whom coverage is being sought. Any information or statement of the applicant shall appear on such application in the form of interrogatories by the HMO and answers by the applicant. The enrollee shall not be bound by any statement made within an application for health care coverage unless a copy of such application is attached to the individual contract. Group enrollment applications must be maintained on file by the HMO; otherwise, disputes arising from statements made within such applications will be resolved in the enrollee's favor. Except for those instances involving fraud or material misrepresentation, an HMO's failure to investigate incomplete or conflicting answers on an enrollment application, shall estop the HMO from subsequently denying coverage on the basis of such responses. Coordination of Benefits.

- 1) HMO's are permitted, but not required to adopt coordination of benefits provisions to avoid over insurance and to provided for the orderly payment of claims when a person is covered by two or more group health insurance or health care plans.

- 2) If an HMO adopts coordination of benefits, the provision must be

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

consistent with the coordination of benefits requirements set forth in 50 Ill. Adm. Code 2009.

- 3) To the extent necessary for an HMO to meet its obligations as a secondary carrier under 50 Ill. Adm. Code 2009, and where an enrollee has established a credit within the reserve bank, the HMO shall make payments for services that are:

- A) received from non-participating providers; or
- B) provided outside their services areas; or
- C) not covered under the terms of health care plan.

- u) Dependents-termination of coverage-disability and dependency, proof-application. Every group contract, evidence of coverage, or individual contract which provides that coverage of a dependent person of an enrollee shall terminate upon attainment of the limiting age for dependent persons shall comply with the requirements of Section 4-9.1 of the Act.

- v) Conversion of coverage.

- 1) The group contract and evidence of coverage shall contain a conversion provision which provides that each enrollee has the right to convert coverage to an individual or group HMO contract in the following circumstances:

- A) upon cancellation of eligibility for coverage under a group contract,
- B) upon cancellation of the group contract, or
- C) upon non-renewal of the group contract.

- 2) The conversion contract shall cover the enrollee and his/her eligible dependents who were covered by the group contract on the date of cancellation or non-renewal of coverage. To obtain the conversion contract, an enrollee shall submit a written application and the application premium payment within 31 days after the date the enrollee's coverage is cancelled.

- 3) The HMO may require copayments and deductibles under a conversion contract that differ from the group contract.

- 4) A conversion contract shall not be required to be made available if:

- A) The cancellation of the enrollee's coverage occurred for any of the reasons listed in Section 5421.111(a) of this Part; or
- B) The enrollee is covered by or is eligible for benefits under Title XVIII of the United States Social Security Act; or
- C) The enrollee is covered by similar hospital, medical, or surgical benefits under state or federal law; or
- D) The enrollee is covered by similar hospital, medical, or surgical benefits under any arrangement of coverage for individuals in a group whether on an insured or uninsured basis; or
- E) The enrollee is covered for similar benefits through individual coverage; or
- F) The enrollee has not been continuously covered during the

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

three-month period immediately preceding cancellation of that person's coverage; or

- G) The enrollee has moved outside of the service area of the health maintenance organization; or

- H) The cancellation of the enrollee's coverage occurred in relation to the HMO being placed in rehabilitation or liquidation proceedings pursuant to Section 5-6 of the Act; or

- I) The group contract has been discontinued in its entirety and there is a succeeding carrier providing coverage to the group in its entirety.

- 5) Benefits or coverage shall be considered "similar" if coverage is provided for at least 12 months under comprehensive type medical coverage.

- 6) Notwithstanding subsection (4)(C), (D), (E), or (I) above, if the enrollee or any of his or her covered dependents has a pre-existing condition, and the enrollee is covered by similar hospital, medical or surgical benefits under any arrangement of coverage for individuals in a group, whether on an insured or uninsured basis, and such coverage does not cover pre-existing conditions, then such enrollee may continue conversion coverage for the individual with such pre-existing condition until the enrollee's or dependant's pre-existing condition is covered under the succeeding plan.

- 7) The conversion contract shall provide as a minimum to its enrollees basic health care services.

- 8) The conversion contract shall begin coverage of the enrollee and any dependents formerly covered under the group contract on the date of termination from the group or the former individual contract.

- 9) Coverage shall be provided without requiring evidence of insurability and shall not impose any pre-existing condition limitations or exclusions other than those remaining unexpired under the contract from which conversion is exercised.

- 10) Prior to the issuance of a conversion contract, the enrollee must be notified in writing that the election of any conversion contract will terminate the individual's federal eligibility for coverage under the Illinois Comprehensive Health Insurance Plan. Conversion charge shall be provided for a period of not less than 18 months.

- w) Discrimination between individuals of the same class in the terms and conditions of such health care plan, or in the amount charged for coverage under a health care plan except where the rate differential is based on sound actuarial principles, or in any other manner whatsoever is prohibited.

- x) Grievance Procedure
The group contract, evidence of coverage, and individual contract shall set forth a full description of the HMO grievance procedure

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

required by Section 5421.40 of this Part.

(Source: Emergency amendment at 21 Ill. Reg. 15262, effective November 18, 1997, for a maximum of 150 days)

Section 5421.111 Cancellation**EMERGENCY**

a) No HMO shall cancel a group or individual contract or evidence of coverage except for one or more of the following reasons:

- 1) Failure of the enrollee to pay the amount due under the contract or evidence of coverage, for which the enrollee is legally responsible; or
- 2) Fraud or material misrepresentation in enrollment or in the use of services or facilities; or
- 3) Material violation of the terms of the contract or evidence of coverage; or
- 4) Failure of the enrollee and the primary care physician to establish a satisfactory patient-physician relationship if the enrollee has repeatedly refused to follow the plan of treatment ordered by the physician; it is shown that the HMO has in good faith provided the enrollee with the opportunity to select an alternative primary care physician; and the enrollee has been notified in writing at least 31 days in advance that the HMO considers such patient-physician relationship to be unsatisfactory; or
- 5) Under the Basic Outpatient Preventive and Primary Care Services for Children Program, failure to meet or continue to meet eligibility requirements as required by Section 5421.131 of this Part.

6) 5) Such other good cause agreed upon in the contract and approved by the Director pursuant to Section 4-13 of the Act.

b) A group contract, evidence of coverage or individual contract may not be cancelled for any of the following reasons:

- 1) The status of the enrollee's health;
- 2) The enrollee has exercised his or her rights under the HMO's grievance system.

(Source: Emergency amendment at 21 Ill. Reg. 15262, effective November 18, 1997, for a maximum of 150 days)

Section 5421.131 Basic Outpatient Preventive and Primary Health Care Services for Children**EMERGENCY**

a) Eligibility.

- 1) A health maintenance organization may undertake to provide or arrange for, and to pay for or reimburse the cost of basic

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

outpatient preventive and primary health care services for children in Illinois who:

A) are without health care coverage;

- i) through a parent's employment;
- ii) through failure to qualify for medical assistance under the Illinois Public Aid Code or failure to qualify for coverage under the State Children's Health Insurance Program of the Social Security Act as amended by the Balanced Budget Act of 1997, P.L. 105-33;

iii) through any other health plan. For purposes of Section 5421.131 of this Part, health plan means a policy, contract, certificate or agreement offered by a carrier to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services. Health plan does not include accident-only, credit, dental, vision, Medicare supplement, long-term care, or disability income insurance coverage issued as a supplement to liability insurance, worker's compensation or similar insurance, or automobile medical payment insurance or short-term and catastrophic health insurance policies, or a policy that pays on a cost-incurred basis, or student insurance;

iv) due to a loss of medical assistance when a parent has moved from welfare to work and does not find employment that offers health care coverage;

B) are 18 years of age or under;

C) have resided in the State of Illinois for at least 30 days and continue to reside in the State of Illinois.

2) Said coverage will be made available to an adult on behalf of an enrollee. For purposes of this Part, enrollee is defined as an eligible child on whose behalf the policy is purchased. The financially responsible party (FRP) is the person or entity paying the premium on behalf of the enrollee. The certificate and/or policy will be issued to the parent or legal guardian of the enrollee. If the FRP and parent or legal guardian are different, both shall be listed on the face page of the certificate and/or policy. The name of the enrollee shall also be listed on the face page of the certificate and/or policy.

b) Required Basic Minimum Outpatient Preventive and Primary Health Care Services for Children to be provided. The following minimum standards shall meet the requirements for basic outpatient preventive and primary health care services to be provided under this subsection, provided that such services are medically necessary as determined by the enrollee's primary care physician, and if required by the HMO, are authorized on a prospective and timely basis by the HMO's medical director.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

- 1) Preventive health services, provided by the enrollee's primary care physician in the office, as appropriate for the patient population including a health evaluation program and immunizations to prevent or arrest the further manifestation of human illness or injury including, but not limited to allergy injections and allergy serum. Such health evaluation program shall include at least periodic physical examinations and medical history, blood pressure testing, and uterine cervical cytological testing as required by Section 356u of the Illinois Insurance Code [215 ILCS 5/356u] as well as health education concerning appropriate health care practices;
 - 2) Basic or general physician services, for illness or injury, provided by the enrollee's primary care physician in the office;
 - 3) Emergency services for accidental injury or emergency illness 24 hours per day, and 7 days per week. Such emergency services are covered benefits inside and out of the plan's service area;
 - 4) Outpatient diagnostic x-rays and laboratory services provided, arranged or authorized by the enrollee's primary care physician.
- c) Supplemental services which may be provided in addition to Basic Outpatient Preventive and Primary Health Care Services for Children. In addition to the minimum required health services listed in subsection (b) above, the HMO may offer supplemental services, provided that such services are medically necessary as determined by the enrollee's primary care physician; and if required by the HMO, are authorized on a prospective and timely basis by the HMO's Medical Director. Supplemental services include, but are not limited to the following:
- 1) preventive dental services including diagnostic services, x-rays and restorations (fillings);
 - 2) vision screening, including one pair of eyeglasses per year;
 - 3) prescription drugs;
 - 4) mental health services including, but not limited to twenty individual outpatient mental health care visits per enrollee per year, as appropriate for evaluation, short-term treatment and crisis intervention services; and
 - 5) any other outpatient services. To the extent supplemental services are provided under this Part, minimum requirements of Section 542l.130 of this Part must be met for those services.
- d) Copayments, deductibles and benefit maximums for Basic Outpatient Preventive Services, Primary Health Care Services and Supplemental Services for Children. An HMO may require copayments of enrollees as a condition for the receipt of specific health care services under this Part. Deductibles and copayments shall be the only allowable charge, other than premiums. Copayments shall be for a specific dollar amount. Deductibles shall be either for a specific dollar amount or for a specific percentage of the cost of the health care service. No single deductible or copayment for health services may exceed 25% of the usual and customary fee of the service to the HMO and must be

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

- waived when in a calendar year, deductibles and copayments paid for the receipt of health care services exceed \$500 per enrollee. Nothing within this subsection shall preclude the provider from charging reasonable administrative fees such as service fees for checks returned for non-sufficient funds.
- Necessary Disclosure Requirements.
- 1) The policy or certificate issued under this subsection shall prominently disclose all limitations, exclusions, copayments and deductibles. Such disclosure shall include, but is not limited to:
 - A) A prominent statement on the first page of the policy or certificate in either contrasting color or in boldface type at least equal to the size of type used for policy captions, a prominent statement as follows: "Notice to Buyer. This is a limited benefit (policy) (certificate). Benefits provided are not intended to cover all of your medical expenses."
 - B) Exclusion of inpatient hospital services;
 - C) Statement that pre-existing conditions may not be excluded or limited;
 - D) Exclusion of services which are not provided, arranged or authorized by the primary care physician, and if required by HMO, are subject to authorization on a prospective and timely basis by the HMO's medical director except for emergency services.
 - 2) In the event supplemental services are offered by the HMO and purchased on behalf of the enrollee, full disclosure of the scope of those limited benefits shall be prominently stated within the policy or certificate.
 - 3) Eligibility requirements shall be prominently disclosed in the policy or certificate.
 - 4) Terms of cancellation shall be prominently disclosed pursuant to Section 542l.111 of this Part.
- f) Advertising. All advertising materials used to market policies and/or certificates pursuant to this Part shall be filed and approved by the Director prior to use.
- g) Grace Period Extension. For purposes of this Part, the grace periods of Section 542l.110m of this Part apply. In the event an FRP, other than the parent or guardian, fails to pay the premium within the grace period, the parent or guardian will be so notified and be granted an additional 30 days in which to pay the premium or obtain another FRP.

(Source: Emergency amendment at 21 Ill. Reg. _____, effective November 18, 1997, for a maximum of 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

1) Heading of the Part for which proposed rulemaking is being corrected: Pay Plan

2) Code Citation: 80 Ill. Adm. Code 310

3) Illinois Register Citation to Notice of Proposed Amendment: Issue #46, 21 Ill. Reg. 14648

4) Section being Corrected: Section 310.230

5) Correction being made:

In Section 310.230, Part-time Daily or Hourly Special Services Rate, the minimum hourly wage for the Student Worker is being upgraded to \$5.15 per hour to reflect the new FLSA minimum wage increase (\$4.75 to \$5.15) that became effective September 1, 1997.

Also, the Social Workers II and III's daily minimum wage is being upgraded to \$39.00 instead of the Social Workers I and II as was originally published in the narrative.

The full text of the Proposed Amendment as corrected begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section

310.20 Policy and Responsibilities

310.30 Jurisdiction

310.40 Pay Schedules

310.50 Definitions

310.60 Conversion of Base Salary to Pay Period Units

310.70 Conversion of Base Salary to Daily or Hourly Equivalents

310.80 Increases in Pay

310.90 Decreases in Pay

310.100 Other Pay Provisions

310.110 Implementation of Pay Plan Changes for Fiscal Year 1997

310.120 Interpretation and Application of Pay Plan

310.130 Effective Date

310.140 Reinstitution of Within Grade Salary Increases

310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section

310.205 Introduction

310.210 Prevailing Rate

310.220 Negotiated Rate

310.230 Part-Time Daily or Hourly Special Services Rate

310.240 Hourly Rate

310.250 Member, Patient and Inmate Rate

310.260 Trainee Rate

310.270 Legislated and Contracted Rate

310.280 Designated Rate

310.290 Out-of-State or Foreign Service Rate

310.300 Educator Schedule for RC-063 and HR-010

310.310 Physician Specialist Rate

310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections

310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1997
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE AA	HR-916 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IPPE)
TABLE Q	RC-033 (Meat Inspectors, IPPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1997
APPENDIX C	Medical Administrator Rates for Fiscal Year 1997
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1997
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective September 19, 1987; peremptory amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 22 Ill. Reg. _____, effective _____.

SUBPART B: SCHEDULE OF RATES

Section 310.230 Part-Time Daily or Hourly Special Services Rate

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
Apiary Inspector	83 to 106 (daily)
Building/Grounds Laborer	8.28 to 10.15 (hourly)
Building/Grounds Lead I	5.15 4-75 to 6.00 (hourly)
Building/Grounds Lead II	5.15 4-75 to 7.00 (hourly)
Building/Grounds Maintenance Worker	5.25 to 8.00 (hourly)
Chaplain I	5.15 5-00 to 6.00 (hourly)
Chemist I	39 36 to 70 (daily)
Conservation/Historic Preservation Worker	39 36 to 45 (daily)
Conservation/Historic Preservation	5.15 4-75 to 6.50 (hourly)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

Worker (2nd season -- site interpretation)	5.15 4-75 to 6.50 (hourly)
Conservation/Historic Preservation Worker (3rd season -- site interpretation)	5.15 4-78 to 6.50 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	39 36 to 85 (daily)
Educator Aide	39 36 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Advanced Specialist	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	5.15 4-75 to 5.30 (hourly)
Labor Maintenance Lead Worker	5.15 5-00 to 6.00 (hourly)
Labor Relations Investigator	39 36 to 70 (daily)
Laborer (Maintenance)	5.15 4-75 to 5.70 (hourly)
Maintenance Worker	5.15 4-75 to 5.00 (hourly)
Occupational Therapist	40 to 160 (daily)
Program Coordinator	8.12 to 10.71 (hourly)
Office Aide	60 to 80 (daily)
Office Assistant	9.16 to 12.36 (hourly)
Office Associate	68 to 93 (daily)
Office Clerk	9.80 to 13.44 (hourly)
Optometrist	73 to 101 (daily)
Physician	8.58 to 11.49 (hourly)
Physician Specialist (A)	64 to 86 (daily)
Physician Specialist (B)	15 to 35 (hourly)
Physician Specialist (C)	50 to 160 (daily)
Physician Specialist (D)	100 to 300 (daily)
Podiatrist	20 to 60 (hourly)
Psychologist I	100 to 325 (daily)
Psychologist II	20 to 70 (hourly)
Psychologist III	100 to 350 (daily)
Recreation Worker I	20 to 75 (hourly)
Registered Nurse I	100 to 360 (daily)
Registered Nurse I	20 to 115 (hourly)
	100 to 370 (daily)
	50 to 125 (daily)
	39 36 to 80 (daily)
	40 to 125 (daily)
	40 to 150 (daily)
	5.33 (hourly)
	36- te 40 to 45 (daily)
	39 to 54 (daily)
	41 to 56 (daily)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF CORRECTION TO PROPOSED AMENDMENT

(2nd or 3rd shift)	43 to 58 (daily)
Registered Nurse I (Cook County)	44 to 59 (daily)
Registered Nurse I (Cook County -	
2nd or 3rd shift)	
Registered Nurse II	43 to 58 (daily)
Registered Nurse II	44 to 59 (daily)
(2nd or 3rd shift)	
Registered Nurse II (Cook County)	45 to 60 (daily)
Registered Nurse II (Cook County -	47 to 62 (daily)
2nd or 3rd shift)	
Revenue Tax Specialist I	11.56 to 16.16 (hourly)
	86 to 122 (daily)
Social Worker II	39 36 to 75 (daily)
Social Worker III	39 36 to 80 (daily)
Student Worker	5.15 4:75 to 8.00 (hourly)
Technical Advisor II	32 to 35 (hourly)
Technical Advisor III	32 to 60 (hourly)
Veterinarian II	95 to 130 (daily)

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF MODIFICATION TO MEET THE OBJECTION
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Procedures of the Department of State Police Merit Board
- 2) Code Citation: 80 Ill. Adm. Code 150
- 3) Section Numbers: 150.210
Action: Modify
- 4) Date Notice of Proposed Rules Published in the Register: June 6, 1997; 21 Ill. Reg. 6825
- 5) Date JCAR Statement of Objection Published in the Register: October 3, 1997; 21 Ill. Reg. 13387
- 6) Summary of Action Taken by the Agency: The State Police Merit Board agrees to the Statement of Objection and Recommendation to Proposed Rulemaking as outlined in the Statement of Objection from JCAR. The Committee objected to the above rulemaking and recommended that the Board remove the requirement that State Police candidates have bachelor's degree by the year 2000. The Board has removed that provision from Section 150.210 that was originally proposed as subsection (c).

The text of this Modification begins on the next page:

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF MODIFICATION TO MEET THE OBJECTION
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section
150.10

Definitions

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section
150.210
150.220
150.230
150.240Qualifications
Selection Procedures
Recertification
Probationary Period

SUBPART C: CLASSIFICATION OF RANKS

Section
150.310
150.320Ranks
Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section
150.410
150.420
150.430
150.440Board Responsibilities
Eligibility
Procedures
Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section
150.510
150.520
150.530
150.540
150.550
150.560
150.565
150.570
150.575
150.580Merit Board Jurisdiction
Discipline Afforded the Deputy Director
Notification to Suspended Officer
Petition for Review
Form and Content of Petition for Review
Filing Procedures
Procedure for Processing Petition for Review
Director's Review
Discipline Afforded the Director
Complaint Procedures

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF MODIFICATION TO MEET THE OBJECTION
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES150.585 Scheduling the Hearing
150.590 Notification to Officer

SUBPART F: HEARINGS

Section
150.610 Board Docket
150.620 Hearing Officer
150.630 Pre-hearing Conferences
150.640 Motions
150.650 Subpoenas
150.655 Request for Witnesses or Documents
150.660 Evidence Depositions
150.665 Hearing Procedures
150.670 Continuances and Extensions of Time
150.675 Computation of Time
150.680 Decisions of the Board
150.685 Service and Form of PapersAPPENDIX A Vision Standards
APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF MODIFICATION TO MEET THE OBJECTION
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill. Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17372, effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9716, effective June 10, 1993; expedited correction at 17 Ill. Reg. 14684, effective June 10, 1993; amended at 17 Ill. Reg. 21079, effective November 22, 1993; amended at 19 Ill. Reg. 6679, effective May 1, 1995; amended at 19 Ill. Reg. 7970, effective June 1, 1995; amended at 20 Ill. Reg. 404, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 8062, effective June 4, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13663, effective October 3, 1996; amended at 20 Ill. Reg. 14640, effective October 25, 1996; amended at 21 Ill. Reg. _____, effective _____.

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section 150.210 Qualifications

- a) The Board shall certify to the Director in writing qualified applicants for appointment as sworn officers to the Department. Qualified applicants shall:
- 1) Be at least 21 years of age. Persons 20 years of age may be certified if they have successfully completed 2 years (60 semester hours, 90 quarter hours) of law enforcement studies at an accredited college or university.
 - 2) Have completed, with an average grade of C or better, an Associate in Arts or Associate in Science Degree or equivalent general education course work from an accredited college or university, as certified by the registrar of the college or university. The college or university must be accredited by one of the following associations:
 - A) Middle States Association of Colleges and Schools;
 - B) North Central Association of Colleges and Schools;
 - C) New England Association of Schools and Colleges;
 - D) Northwest Association of Schools and Colleges;
 - E) Southern Association of Colleges and Schools;
 - F) Western Association of Schools and Colleges.
 - 3) Be a citizen of the United States with no felony convictions.
 - 4) Accept assignment anywhere in the State.
 - 5) Possess a valid driver's license at time of application.
 - 6) Successfully complete mental and physical and medical tests and a background investigation as prescribed by the Board. (See Section 150. Appendix A and B of this Part.)
- b) The Board may certify more applicants than there are vacant positions at the time of certification. Such certified applicants shall be eligible for appointment for a period of time designated by the Board.

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF MODIFICATION TO MEET THE OBJECTION
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

(Source: Amended at 21 Ill. Reg. _____, effective _____.)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

OBJECTION AND SUSPENSION OF EMERGENCY RULES

DEPARTMENT OF PUBLIC HEALTH

Heading of the Part: Health Care Facility Plan Review Code

Code Citation: 77 Ill Adm Code 290

Section Numbers: 290.100 290.200
290.300 290.400
290.500 290.600
290.700 290.800
290.900

Date Published in the Illinois Register: 10/17/97
21 Ill Reg 13908

At its meeting on November 12, 1997, the Joint Committee on Administrative Rules voted to object to and suspend the above emergency rulemaking. The Committee found that the continued enforcement of this rulemaking would constitute a serious threat to the public interest, safety and welfare, as the rulemaking is contrary to legislative intent and could result in diminished availability of health care facilities within this State. The reasons for the suspension are as follows:

This rulemaking is in conflict with the legislative intent that the \$5,000 threshold apply to "construction" projects, not all projects, some of which can be characterized as repair or maintenance. Broad application of the threshold can result in diminished availability of adequate health care facilities, which is not in the best interest of the citizens of this State.

The suspended emergency rules may not be enforced by the Department of Public Health for any reason, nor may the Department file with the Secretary of State any rule having substantially the same purpose and effect as these suspended rules, for at least 180 days following receipt of this certification and statement by the Secretary of State.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 11, 1997 through November 17, 1997 and have been scheduled for review by the Committee at its December 16, 1997 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
12/26/97	Department of Corrections, Discipline and Grievances (20 Ill Adm Code 504)	9/12/97 21 Ill Reg 12281	12/16/97
12/26/97	Department of Corrections, Closed Maximum Security Facility (20 Ill Adm Code 505)	9/12/97 21 Ill Reg 12274	12/16/97
12/26/97	Capital Development Board, Procurement Practices (44 Ill Adm Code 910)	9/19/97 21 Ill Reg 12785	12/16/97
12/26/97	Capital Development Board, Prequalification of Architects and Engineers (44 Ill Adm Code 980)	9/19/97 21 Ill Reg 12764	12/16/97
12/26/97	Capital Development Board, Repeal of Pre-qualification of Architects and Engineers (44 Ill Adm Code 980)	9/19/97 21 Ill Reg 12779	12/16/97
12/26/97	Capital Development Board, Selection of Architects/Engineers (A/E) (44 Ill Adm Code 1000)	9/19/97 21 Ill Reg 12797	12/16/97
12/26/97	Capital Development Board, Repeal of Selection of Architects/Engineers (A/E) (44 Ill Adm Code 1000)	9/19/97 21 Ill Reg 12790	12/16/97
12/27/97	Secretary of State, Rules of the Road-Handicapped Parking (92 Ill Adm Code 1100)	9/26/97 21 Ill Reg 13149	12/16/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

12/27/97	Property Tax Appeal Board, Practice and Procedure for Hearings Before the Property Tax Appeal Board (86 Ill Adm Code 1910)	9/26/97 21 Ill Reg 13028	12/16/97	PROPOSED 17-130-44 86-130-42 26-100-42,46 26-125-42 26-216-42 32-360-45 32-406-47 35-183-44 35-703-47 35-720-47 35-721-47 35-724-47 35-725-47 35-728-47 35-733-47 38-180-42 41-180-42 44-5010-47 47-220-42 47-250-42 47-260-42 47-310-42 47-360-42 47-365-42 50-5421-48 50-8100-42 68-1283-44 68-1285-48 68-1300-45 68-1310-44 68-1350-44 68-1470-44 77-463R-44 77-465-44 77-750-42 77-515-47 77-1130-47 80-150-42 80-310-46	77-300-47 77-350-47 77-830-47 80-150-44 86-1910-45 89-50-47 89-104-47 89-290-46 89-305-46 EMERGENCY 50-5421-48 77-290-42 77-845-46 86-3000-45 PEREMPT. 8-125-45 77-290-42 77-2090-43 80-310-44,45,47 89-140-42
12/27/97	Department of Natural Resources, Conservation 2000 - Natural Resources Cost-Share Program (17 Ill Adm Code 1522)	9/26/97 21 Ill Reg 12993	12/16/97	ADOPTED 2-1975-42 17-685-45 17-2010-48 17-4190-48 23-275-45 50-2018-44 50-3119-42 56-2520-43 56-6000-47 68-1252-42 68-1270-44 68-1380-42 68-1400-48 68-1420-48 68-1480-42 71-400-45 71-2005-45	
12/28/97	Department of Insurance, Repeal of Small Employer Carrier Actuarial Certification and Documentation Requirements (50 Ill Adm Code 5100)	9/5/97 21 Ill Reg 12072	12/16/97		
12/28/97	Department of Insurance, Traditional Long-Term Care Insurance (50 Ill Adm Code 2012)	8/15/97 21 Ill Reg 11380	12/16/97		
12/31/97	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	8/29/97 21 Ill Reg 11881	12/16/97		
12/31/97	State Universities Retirement System, Universities Retirement (80 Ill Adm Code 1600)	8/29/97 21 Ill Reg 11906	12/16/97		
12/31/97	Illinois Emergency Management Agency, Emergency Planning and Community Right-to-Know (29 Ill Adm Code 620)	6/27/97 21 Ill Reg 7789	12/16/97		
12/31/97	Department of Agriculture, Weights and Measures Act (8 Ill Adm Code 600)	10/3/97 21 Ill Reg 13209	12/16/97		

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